





CIVIL RULES AND ORDERS

FOR THE GUIDANCE OF

**CIVIL COURTS AND OFFICERS SUBORDINATE
TO THE HIGH COURT OF JUDICATURE
AT FORT WILLIAM IN BENGAL**

VOLUME II—Forms, etc.

ISSUED BY THE

AUTHORITY OF THE HIGH COURT (APPELLATE SIDE)



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Preface.

A thorough revision of forms has been made in this edition, together with the radical and comprehensive revision of the rules in Volume I. There has been a reclassification of the forms under the following heads:—

- 1) Accounts forms—
 - (i) Occasional forms, (A) 1 to (A) 13.
 - (ii) Registers, (A) 14 to (A) 33.
- (2) Registers—
 - (i) Primary, (R) 1 to (R) 11.
 - (ii) Subsidiary, (R) 12 to (R) 41.
 - (iii) Statistical, (R) 42 to (R) 49.
- (3) Periodical Returns and Statements—(S) 1 to (S) 33.
- (4) Judicial Forms—(J) 1 to (J) 62.
- (5) Process Forms—(P) 1 to (P) 85.
- (6) Miscellaneous Forms—(M) 1 to (M) 57.

An attempt has been made to rationalise and simplify the forms. Those obsolete and useless have been eliminated while those retained have been modified to meet actual requirements. In several instances forms have been amalgamated, while in others there have been certain introductions and innovations in order to secure a higher degree of administrative efficiency and better supervision.

The forms for monthly and quarterly statements have been greatly simplified and their number has been considerably reduced. These forms are intended mainly to provide material for administrative purposes so that proper control might be exercised over the working of Subordinate Courts.

The total number of forms in the last edition was 357 against 319 in the present edition. The Account Forms, Registers, and Periodical Returns and Statements, which numbered 150, have been reduced to 115, i.e., approximately by 24 per cent. The forms prescribed by the Civil Procedure Code have also been modified where necessary, to suit present requirements.

N. L. HINDLEY,

Registrar.

HIGH COURT,
March, 1935.

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CIVIL RULES AND ORDERS OF THE HIGH COURT, CALCUTTA.

Volume II.

Discrimination necessary in the use of the printed forms included in this volume, and in Schedules I and II of the Code of Civil Procedure.

1. The particular attention of all Civil Courts is invited to the fact that the issue of printed forms under the direction of the High Court, is intended to save clerical labour, and in no way relieves Judicial Officers of the duty of seeing that the standard form prescribed as a general guide sufficiently meets the requirements of the particular case in which the order is to be issued. It must also be understood that neither the forms which are included in the Court's Rules and Orders, nor those which are appended to the first and second Schedules to the Code of Civil Procedure*, can in any way be regarded as exhaustive of all possible orders. They only furnish a collection of examples to assist the office of the Court which issues the order in framing it. Great care, therefore, is necessary to see that, in the first place, the proper form is selected, and that any necessary modifications are made before it is issued, and in the second place, where no printed form exists, that a written order is prepared which duly follows the requirements of the law.

Rules Concerning Printed Forms.

2. Indents for the supply of printed forms shall be made by District Judges for all the Civil Courts subordinate to them in accordance with the Rules for the supply and custody of printed forms issued (see also Rule 1029, Vol. I). If it be ascertained that a direct supply of the forms from the Forms Department to any of the subordinate Courts is cheaper and more convenient, the indent of such Court should be attached to the District Judge's consolidated indent with instructions for direct supply. If distribution from headquarters to outside Courts is cheaper and more convenient, the indent of the subordinate Court should be consolidated with that of the District Judge.

* See in this connection Order 48, rule 3, C. P. Code.

List of Appendices.

The forms included in the following appendices have been prescribed for use in the civil courts subordinate to the Appellate Jurisdiction of the High Court :—

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APPENDIX A.

I.—List of Account Forms

Form No. (Old).	Form No. (New).	Description of Form.	Rule by which prescribed.
	Volume I.	(a) Occasional.	
(M) 1	(A) 1	Chalan	Rule 759.
(M) 3	Abolished.		
(M) 4	(A) 2	Payment Order	Rule 778.
(M) 5	(A) 3	Payment Order (Rent Deposits and deposits under Bengal Money Lender's Act, 1933).	Rule 778.
(M) 6	(A) 4	Refund of Lapsed Deposit	Rule 788.
(M) 7	(A) 5	Order for refunds of Revenue	Rule 789.
(M) 8	(A) 6	Certificate for the refund of Stamp Fees.	Rule 790.
(M) 9	(A) 7	Order for the refund of the value of Court-fee Stamps.	Rule 790.
(M) 10	(A) 8	Advice list to Treasury for cheques issued.	Rule 787(2).
(M) 11	(A) 9	Daily Advice List from Treasury	Rule 804.
(M) 12	(A) 10	Subordinate Court's Daily Advice List to District Court.	Rule 815.
(M) 13	(A) 11	Plus and Minus Memorandum	Rules 823 and 830.
(M) 14	(A) 12	Statement of Lapsed Deposit	Rule 839.
(M) 15	(A) 13	Extract Register of Deposit Receipts above Rs. 5.	Rule 828.

Form No. (Old).	Form No. (New).	Description of Form.	Rule by which prescribed.	By what Courts to be maintained.	Period for which to be preserved.
		(b) Registers.	Volume I.		
(M) 16	(A) 14 ..	Register of Chalans ..	Rule 760 ..	Judge in charge of accounts.	12 years.
(M) 17	(A) 15 ..	Register of Chalans for Petty payments.	Rule 766 ..	Ditto ..	Do.
(M) 18	(A) 16 ..	Register of payment orders issued.	Rules 784 and 785.	Ditto ..	Do.
(M) 19	(A) 17 ..	Treasury Pass Book ..	Rules 798 and 799.	Ditto ..	Do.

Form No. (Old)	Form No. (New)	Description of Form	Rule by which pre- scribed	By what Court to be main- tained.	Period for which to be preserved.
(M) 20 (i) and (M) 20 (ii).	(A) 18 (i) and (A) 18 (ii).	(b) Registers—concd. Daily Register of Deposits received:— Part I—A Deposits. Part II—B Deposits.	Volume I. Rule 808 ..	Judge in charge of accounts.	For ever.
(M) 21 (i) and (M) 21 (ii).	(A) 19 (i) and (A) 19 (ii).	Daily Register of Deposits repaid:— Part I—A Deposits. Part II—B Deposits.	Rule 808 ..	Ditto ..	12 years.
(M) 22	(A) 20	Clearance Register of A Deposits.	Rule 831 ..	Ditto ..	For ever.
(M) 23	(A) 21	District Judge's Daily Register of Deposits advised by Subordinate Courts.	Rule 819	District Judge	12 years.
(M) 24 ..	Abolished	} See (A) 22.			
(M) 25 ..	Abolished				
(M) 26	Abolished				
(M) 27 ..	(A) 22 ..	Register of judicial deposits (other than civil deposits and peremptory receipts) and refunds therefrom.	Rule 844 ..	Judge in charge of accounts.	12 years.
(M) 28 ..	(A) 23	Register of counterfoils of receipts granted by Cashier for Peremptory Cash Receipts.	Rule 772 ..	Ditto ..	3 years.
(M) 29 (i) and (M) 29 (ii).	(A) 24 ..	Peremptory Cash Register	Rule 773 ..	Ditto ..	12 years.
(M) 30 ..	(A) 25	Cash book ..	Rule 774 ..	Ditto ..	Do.
(M) 30 (i)	(A) 26	Bill Register ..	Rule 775 ..	Ditto.	
(M) 31 ..	(A) 27	Register of unclaimed In- testate Property.	Rule 848 ..	District Judge	12 years.
(M) 32 ..	(A) 28	Sale Account ..	Rule 770 (2)	Judge in charge of accounts.	Do.
(M) 33 ..	} Abolished.				
(M) 34 ..					
(M) 35 ..					
(M) 36 ..	(A) 29	Register of Contract con- tingent charges.	Government Account Rules.	Ditto ..	12 years.
(M) 37 ..	(A) 30	Register of contingent charges.	Ditto ..	Ditto ..	Do.
C. P. 76A	(A) 31	Receipt with counterfoils	Rule 202.		
(M) 27A ..	(A) 32 ..	Register of Fees, Fines, Penalties and Forfeitures.	Rule 845 ..	All Civil Courts	12 years.
(M) 3 ..	(A) 33	Receipts to accompany cheque of Land Acqui- sition Officer.	Rule 750, Note 5(b).		

II REGISTERS.

(I) List of Primary Registers.

Form No. (Old).	Form No. (New)	Name of Register.	By what Court to be maintained.	Period for which to be preserved.
(M) 38 (i) ..	(R) 1 (i)	Register of Title and other suits.	All Courts other than Courts of Small Causes.	For ever.
(M) 38 (ii) ..	(R) 1 (ii)	Register of suits for Money and Movables.	All Courts.	15 years.
	(R) 1 (iii)	Register of rent suits ..	All Courts other than Courts of Small Causes.	Do.
		<i>Note.—Same form for the three registers.</i>		
(M) 39-41 ..	(R) 2	Register of Miscellaneous Judi- cial Cases.	All Courts ..	In Courts of Small Causes 12 years, in other Courts 25 years.
(M) 42-44 ..				
(M) 45 ..				
(M) 52 ..				
(M) 42 ..	(R) 3	Register of Insolvency peti- tions under Act V of 1920.	All Courts having juris- diction in Insolvency matters.	25 years.
(M) 45 ..	Abolished			
(M) 46 ..	(R) 4	Register of applications under the B. T. Act.	All Courts other than Small Causes.	12 years.
(M) 47 ..	(R) 5	Register of applications for the execution of decrees.	All Courts ..	Do.
(M) 49 (i) ..	(R) 6 (i)	Register of Title appeals ..	All District Courts ..	For ever.
(M) 49 (ii) ..	(R) 6 (ii)	Register of Money appeals	Ditto ..	15 years.
	(R) 6 (iii)	Register of Rent appeals ..	Ditto ..	Do.
		<i>Note.—Same form for the three registers.</i>		
(M) 50 (i) ..	(R) 7 (i)	Supplementary Register of appeals.	All Appellate Courts other than District Courts.	3 years.
(M) 50 (ii) ..	(R) 7 (ii)	Supplementary Register of Money appeals.	Ditto ..	Do.
	(R) 7 (iii)	Supplementary Register of Rent appeals.	Ditto ..	Do.
	(R) 7 (iv)	Supplementary Register of Miscellaneous appeals.	Ditto ..	Do.
		<i>Note.—Same form for the four registers.</i>		
(M) 51 ..	(R) 8	Register of Miscellaneous appeals.	All District Courts ..	25 years.
(M) 52 ..	Abolished.			
(M) 53 ..	(R) 9 ..	Register of suits before Courts of Small Causes.	Courts of Small Causes only.	12 years.
(M) 54 ..	(R) 10 ..	Small Causes Book ..	All Courts having Small Cause Court powers.	Do.
(M) 55 ..	(R) 11	Index to Wills ..	All District Courts and by District Delegates.	For ever.

(H) List of Subordinate Registers.

Form No. (Old).	Form No. (New).	Name of Register.	By what Court to be maintained.	Period for which to be preserved.
(M) 53 New	(R) 12 (R) 12-A	Diary of Civil Courts Filing Register	All Civil Courts Ditto	3 years. 3 years.
(M) 59 (M) 60	(R) 13	Register of petitions and Court-fees.	Ditto	3 years.
(M) 61 New	(R) 14 (R) 15	Register of processes served by the establishment under the Nasir. Register of service of summonses on witnesses by the parties under Or. 16, r. 7-A.	By the Nasir All Civil Courts	3 years. 3 years.
(M) 62 (M) 63	(R) 16 Abolished.	Register of process-serving peons.	By the Nasir	1 year.
(M) 64 (M) 64-A	(R) 17 (R) 18	Process-serving peon's Diary Register of works done by process-serving peons.	By each peon By the Nasir	Do. 1 year.
New	(R) 18-A	Register of process distributed	Ditto	Do.
(M) 65 (M) 57-A	(R) 19 (R) 20	Register of Instruments impounded and stamp duty and penalty realised. Register of securities, jewelries or other valuable articles in the custody of the Nasir.	All Civil Courts Ditto	3 years. 3 years after the disposal of all items.
(M) 57-B New	(R) 21 (R) 22 (s) and (R) 22 (u).	Register of ordinary movables and livestock attached. Register of Decrees received from and sent to other courts for execution.	Ditto Ditto	Do. 3 years.
		Part I—Decrees received for execution. Part II—Decrees transferred for execution.		
(M) 66 New	(R) 23 (R) 24	Register of application for copies. Register of application for information.	All Civil Courts Ditto	3 years. Do.
New	(R) 25	Register of inspection of record	All Civil Courts and District Record Room.	Do.
New	(R) 26	Register of information to parties about stamps and stamped sheets necessary for copies.	All Civil Courts	1 year.
New	(R) 27	Register of copies and information ready for delivery	Ditto	Do.
(M) 66 (M) 67 (M) 77.	(R) 28 (R) 29	Register of requisitions for documents from copying department. Register of records issued from the Record Room or Courts.	All Civil Courts and District Record Room. Ditto	Do. 3 years.
New	(R) 29-A	Register of records or documents received from the Record Room or Courts.	All Civil Courts	Do.
(M) 58	(R) 30	Register of applications for the return of documents.	All Courts and District Record Room.	Do.

Form No. (Contd.)	Form (Contd.)	Name of Register	Place of Maintenance	Period for which Registers should be preserved
(M) 57	(R) 31	Register of draft sale certificates and applications for sale certificates.	All Civil Courts	3 years.
(M) 58	(R) 32	List of records sent to the District Record Room.	Ditto	For the same period as the records to which the list relates.
(M) 71	(R) 33	List of Registers to be permanently preserved.	Ditto	For ever in the District Record Room
(M) 72	(R) 34	Register of commissions issued under Or. 26, rr. 1, 9, 11 or 13, C. P. Code.	Ditto	3 years.
(M) 66	(R) 35	Register of pleadings and mukhtars.	Ditto	For ever
(M) 69	(R) 36	Register of registered clerks of pleadings and mukhtars	District Judge's Court and outlying Munsifis.	3 years.
New	(R) 37	Register of information regarding process-fees processes, etc., due.	All Civil Courts	1 year.
(M) 73	(R) 38	Register of application for payment order	All Civil Courts and District Record Room.	Do.
(M) 73A		Pending list	All Civil Courts	Do
New	(R) 38A			
(M) 75	(R) 39 (i)	Register of Receipts and Issues of printed forms	All Civil Courts in Bengal	3 years.
(M) 75A	(R) 39 (ii)	Register of Receipts and Issues of printed forms	All Civil Courts in Assam	Do
New	(R) 39A	Register of Stationery articles received and issued	All Civil Courts	Do
Form in Rule 7A, Ch. XIV.	(R) 40 (i), (R) 40 (ii), (R) 40 (iii)	Register of furniture and stores in three parts.		6 years.
M (76)	(R) 41	Register of casual leave	All Civil Courts	1 year.
		Register of attendance of ministerial officers (a).	Ditto	Do.
		Register of letters issued (a)	Ditto	Do.
		Register of letters received (a)	Ditto	Do.

(iii) List of Statistical Registers.

(M) 79 to (M) 81	(R) 42	Register of suits instituted according to valuation.	All Courts	2 years.
		NOTE—A separate register shall be maintained for each class of suits.	Ditto	Do
(M) 80	(R) 43	Register of suits instituted according to classification.	Ditto	Do
(M) 81				
(M) 82	(R) 44	Register of original cases and appeals received by transfer or upon remand, review or revival.	Ditto	Do
(M) 86		NOTE.—One register shall be maintained for cases and another for appeals.		

(a) Form prescribed by Government should be used.

Form No. (Old).	Form No. (New).	Name of Register.	By what Courts to be maintained.	Period for which to be preserved.
(M) 85 to (M) 86 ..	(R) 45 ..	Register of appeals instituted against decrees in suits according to valuation. <i>NOTE.—A separate register shall be maintained for appeals in each class of suits.</i>	All Appellate Courts ..	4 years. Do.
(M) 87 to (M) 90 ..	(R) 46 ..	Register of suits and Miscellaneous (Judicial) cases disposed of. <i>NOTE.—A separate register shall be maintained for each class of suits and for miscellaneous (Judicial) cases.</i>	All Courts ..	Do.
(M) 91 to (M) 94.	(R) 47 ..	Register of appeals disposed of <i>NOTE.—A separate register shall be maintained for each class of appeals and for miscellaneous appeals.</i>	All Appellate Courts ..	Do.
(M) 95 ..	(R) 48 ..	Register showing the results of applications for the execution of decrees disposed of	All Courts ..	Do.
(M) 96 ..	Abolished.			
(M) 97 ..	Abolished.			
New ..	..	Register of interlocutory Injunctions (a)	Ditto ..	4 years.
New ..	..	Register of cases in which proceedings have been stayed (b)	Ditto	2 years.
New	(R) 49 ..	Register of Guardians and Managers and their accounts	District Judges' Courts	25 years.

III.—List of Periodical Returns and Statements.

Form No. (Old).	Form No. (New).	Description of Return, etc	Office from which due	Office to which due.
(a) Monthly Returns.				
(M) 98 to (M) 103.	(S) 1 ..	Statement showing the number of suits and cases disposed of and pending	Munsifs, Subordinate Judges and Small Cause Court Judge.	District Judges.
(M) 104 ..	(S) 2 ..	*Statement of sales held and confirmed	All Civil Courts except Small Cause Courts.	Collectors.
(M) 104-A	(S) 3 ..	Statement of cases and appeals pending for hearing of arguments and delivery of judgments.	Munsifs and Subordinate Judges. District Judges and Additional Judges.	District Judges. High Court.
(b) Quarterly Returns.				
(M) 105 ..	(S) 4	Statement A showing the number and general result of Original suits and Miscellaneous (Judicial) cases.	Munsifs, Subordinate Judges and Additional Judges.	District Judges.
(M) 106.			District Judges ..	High Court.
(M) 107 ..	Abolished.			

(a) Register to be maintained in Form No. (S) 13 for Annual Statement.

(b) Register to be maintained in Form No. (S) 9 for Half-yearly Statement.

* This return has since been made quarterly.

Form No. (Old)	Form No. (New)	Description of Return, etc.	Office from which sent	Office to which sent
		(b) Quarterly Returns—contd.		
(M) 108	(S) 5 ..	Statement B showing the result of proceedings on applications for execution of Decrees.	Munsifs, Subordinate Judges and Additional Judges.	District Judges.
(M) 109	(S) 6 ..	Statement C showing the number and general result of Regular and Miscellaneous Appeals.	Subordinate Judges and Additional Judges.	District Judges.
(M) 110	} Abolished.		District Judges ..	High Court.
(M) 111				
(M) 112				
(M) 113	(S) 7 ..	Concise statement of outturn of work of the Courts.	Munsifs, Subordinate Judges.	District Judges.
New	(S) 7A ..	Return of Civil deposit Cases	District Judges ..	High Court.
New	(S) 7B ..	Return of valuation and apportionment cases.	Calcutta Improvement Tribunal.	High Court.
		(c) Half-yearly Returns.	Ditto ..	Ditto.
(M) 176	} Abolished.			
(M) 177				
(M) 178				
New	(S) 8 ..	Statement showing the progress made in the disposal of old cases.	Munsifs, Subordinate Judges.	District Judges.
			District Judges ..	High Court.
New	(S) 9 ..	Statement showing the cases of which proceedings have been stayed.	Munsifs, Subordinate Judges and Additional Judges.	District Judges.
			District Judges ..	High Court.
		<i>NOTE.—Statement in forms No. (R) 34 and (S) 23 should also be submitted half-yearly to the District Judge by the Subordinate Courts.</i>		
		(d) Annual statements.		
(M) 114	(S) 10 ..	Statement 1 showing the area and population of judicial divisions, officers employed and the receipts and charges of Civil Courts.	All Civil Courts, District Collectors, District Judges ..	District Judges.
(M) 118	(S) 11 ..	Statement 2 showing the number and description of civil suits instituted in Civil Courts.	Ditto ..	High Court.
(M) 119	(S) 12 ..	Statement 3 showing the number and value of suits instituted in Civil Courts.		Ditto.
(M) 120	(S) 13 ..	Statement 4, Part I, showing the general result of the trial of civil cases in Courts of Original Jurisdiction.	All Civil Courts of Original Jurisdiction and District Collectors.	District Judges.
(M) 121	(S) 14 ..	Statement 4, Part II, showing the general result of the trial of civil cases Miscellaneous (Judicial) in Courts of Original Jurisdiction.	District Judges ..	High Court.

Form No. (Old).	Form No. (New).	Description of returns, etc.	Office from which due.	Where to be sent.
(d) Annual Statements—contd.				
(M) 122 ..	(S) 15 ..	Statement 5, Part I, showing the business of Civil Appellate Courts (Appeals from decrees).	Subordinate and Additional Judges and District Collectors.	District Judges.
(M) 123 ..	(S) 16 ..	Statement 5, Part II, showing the business of Civil Appellate Courts (Miscellaneous Appeals—Judicial).	District Judges ..	High Court.
(M) 124 ..	(S) 17 ..	Statement 6 showing the result of proceedings on application for the execution of the Decrees of Civil Courts.	All Civil Courts of Original Jurisdiction and District Collectors. District Judges ..	District Judges. High Court.
(M) 125 ..	(S) 18 ..	Statement 7 showing proceedings in insolvency under the Provincial Insolvency Act (V of 1920).	Courts, if any, empowered under Sec. 3 (1) of the Provincial Insolvency Act. District Judges ..	District Judges. High Court.
(M) 126 ..	Abolished.			
(M) 127 ..	Abolished.			
(M) 128 ..	Abolished.			
(M) 129 ..	Abolished.			
New ..	(S) 19 ..	Statement showing the number of applications for interlocutory injunctions instituted, disposed of and pending.	Munsif, Subordinate Judges and Additional District Judges ..	District Judges. High Court.
New ..	(S) 20 ..	Statement showing the number of long pending original suits and Miscellaneous cases remaining undecided at the close of the year.	Munsifs, Subordinate Judges and Additional District Judges ..	District Judges. High Court.
New ..	(S) 21 ..	Statement showing the number of long pending Regular and Miscellaneous Appeals remaining undecided at the close of the year.	Subordinate Judges and Additional Judges. District Judges ..	District Judges. High Court.
(e) Annual Tables.				
(M) 130 .. (M) 132 ..	} (S) 22 ..	†Table I showing the number of suits instituted, disposed of and pending and the manner of disposal of suits of each class.	District Judges ..	High Court.
(M) 133 ..		†Table II showing applications for the execution of decrees filed, disposed of and pending.	Ditto ..	Do.
(M) 134 .. (M) 135 ..	} (S) 24 ..	†Table III showing the number of Miscellaneous cases (Judicial and non-Judicial) instituted, disposed of and pending.	Ditto ..	Do.

†These Tables are to be incorporated by District Judges in their Annual Reports.

Form No. prev.	Form No. new.	Description of returns, etc.	Office from which due.	Office to which due.
(e) Annual Table—consolid.				
(M) 125	(S) 25	†Table IV showing the number of appeals from decisions in Regular suits, instituted, disposed of and pending and the manner of disposal of appeals of each class.	District Judges	High Court.
(M) 126	(S) 26	†Table V showing the number of Miscellaneous Appeals, instituted, disposed of and pending.	Ditto	Do.
(M) 127	(S) 27	†Table VI showing the number of appeals preferred from decisions in Original suits, the ratio of appeals to appealable decisions; the number of decisions affirmed; reversed and the ratio of affirmed, etc., to decided.	Ditto	Do.
(M) 128	Abolished.			
(M) 141	(S) 28	†Table VII showing the number of applications for an order to set aside an <i>ex parte</i> judgment, or a judgment in default, preferred, disposed of and pending.	Munsifs, Subordinate Judges and Small Cause Court Judges.	District Judges.
		NOTE.—This statement should also be submitted half-yearly to the District Judge by Munsif, Subordinate Judges and Small Cause Court Judges.	District Judges	High Court.
(M) 142	(S) 29	†Table VIII showing the number and value of suits and appeals of each class instituted.	Munsifs, Subordinate Judges, Small Cause Court Judges and Additional Judges.	District Judges.
(M) 143	Abolished.		District Judges	High Court.
(M) 144	Abolished.			
(M) 145	Abolished.			
(M) 146	(S) 30	†Table IX showing the receipts and disbursements on account of Commissioners employed in the execution of Commissions under Or. 26, C. P. Code.	Munsifs, Subordinate Judges, Small Cause Court Judges and Additional Judges. District Judges	District Judges. High Court.
(M) 147	(S) 31	†Table X showing the immovable property held, acquired, or disposed of, etc., by Uncoovenanted Judicial Officers.	Uncoovenanted Judicial Officers.	To High Court through the District Judge.
		Annual Table (Financial year).		
(M) 148	(S) 32	Table XI showing the number of Probates, Letters of Administration, Certificates and extended certificates and the duty levied thereon.	District Judge	High Court.
(M) 149	Abolished.	Annual Returns (Calendar Year).		
(M) 148	(S) 33	Annual Return of Legal Practitioners enrolled.	District Judges	High Court.

These Tables are to be incorporated by District Judges in their Annual Reports.
 † These Tables should accompany the Annual Report.

IV.—Judicial.

No. of Form (Old).	No. of Form (New.)	Description of form.
(M) 151 ..	(J) 1 ..	Heading of deposition.
(M) 153 ..	} Abolished.	
(M) 154 ..		
(M) 157 ..	(J) 2 ..	Heading of deposition in original suits.
(M) 158 ..	(J) 3 ..	Heading of deposition on appeal.
(M) 163 ..	(J) 4 ..	Title page of File A of Class I of records.
(M) 164 ..	(J) 5 ..	Title page of File B of Class II of records.
(M) 165 ..	(J) 6 ..	Title page of File C, C ₁ , C ₂ of Class I, II and III of records.
(M) 166 ..	Abolished.	
(M) 167 ..	(J) 7 ..	Title page of File D of Class I, III and III-A of records.
	(J) 8 ..	Title page of File E of Class III-A of records.
(M) 168 ..	(J) 9 ..	Title page of File B of Class IV of records.
(M) 169 ..	(J) 10 ..	Title page of File C of Class IV of records.
New ..	(J) 11 ..	Title page of File E of Class IV-A of records.
(M) 170 ..	(J) 12 ..	Table of contents of records.
(M) 162 ..	(J) 13 ..	Order Sheet (first sheet).
	(J) 13 (a)	Order Sheet (second and subsequent sheets).
New ..	(J) 14 ..	Short case Diary for Original Suits.
New ..	(J) 15 ..	Short case Diary for Appeals.
New ..	(J) 16 ..	Short case Diary for Small Causes.
(M) 171-A	(J) 17 ..	Form of registered address of a party.
C. P. 18 ..	(J) 18 ..	Order for delivery of interrogatories (Or. 11, r. 1)
		Interrogatories (Or. 11, r. 4).*
		Answer to interrogatories (Or. 11, r. 9).*
		Order for affidavit as to documents (Or. 11, r. 12).*
		Affidavit as to documents (Or. 11, r. 13).*
C. P. 19 ..	(J) 19 ..	Order to produce documents for inspection (Or. 11, r. 14).
		Admission of facts pursuant to notice (Or. 12, r. 5).*
C. P. 99 ..	(J) 20 ..	Order of reference to arbitration (Sch. II, C. P. Code).
C. P. 100 ..	(J) 21 ..	Order for appointment of new arbitrator (Sch. II, C. P. Code), Special case.† Award.†

* For forms, see Appendix C^o of C. P. Code.

† For forms, see Appendix to Sch. II, C. P. Code.

No. of Form (Old).	No. of Form (New).	Description of form.
C. P. 90 ..	(J) 22 ..	List of documents produced by plaintiff/defendant (Or. 13, r. 1).
C. P. 171 ..	(J) 23 ..	List of documents admitted in evidence.
C. P. 75 ..	(J) 24 ..	Appointment of a Receiver (Or. 40, r. 1).
C. P. 20 ..	(J) 25 ..	Decree in original suits (Or. 20, rr. 6, 7).
C. P. 21 ..	(J) 26 ..	Simple money decree (S. 34, C. P. Code).
New ..	(J) 27 ..	Decree under Or. 21, r. 11 (1).
C. P. 22 ..	(J) 28 ..	Decree in original suits between landlord and tenant for the recovery of rents.*
C. P. 23 ..	(J) 29 ..	Decree for recovery of land and mesne-profits. (Or. 20, r. 12).
C. P. 24 ..	(J) 30 ..	Preliminary decree for foreclosure (Or. 34, r. 2 (1) (a)).
C. P. 24 (i)	(J) 30 (i)	Preliminary decree for foreclosure (Or. 34, r. 2 (1) (b)).
C. P. 25 ..	(J) 31 ..	Final decree for foreclosure [Or. 34, r. 3 (?)].
C. P. 25 (i)	(J) 31 (i)	Final decree for foreclosure in a redemption suit on default of payment by mortgagor [Or. 34, r. 8 (3)].
C. P. 26 ..	(J) 32 ..	Preliminary decree for sale [Or. 34, r. 4 (1)].
C. P. 26 (i)	(J) 32 (i)	Preliminary decree for sale [Or. 34, r. 4 (1)].
C. P. 26 (ii)	(J) 32 (ii)	Preliminary decree for sale [Or. 34, r. 4 (4)].
C. P. 27 ..	(J) 33 ..	Final decree for sale [Or. 34, r. 5 (3).]
C. P. 27 (i)	(J) 33 (i)	Final decree for sale in a redemption suit on default of payment by mortgagor [Or. 34, r. 8 (1)].
C. P. 27 (ii)	(J) 33 (ii)	Final decree in a suit for foreclosure, sale or redemption where the mortgagor pays the amount of the decree [Or. 34, rr. 3 (1), 5 (1) and 8 (1)].
C. P. 27 (iii)	(J) 33 (iii)	Preliminary decree for foreclosure or sale [Or. 34, rr. 2 (3) and 4 (4)].
C. P. 28 ..	(J) 34 ..	Decree against mortgagor personally [Or. 34, rr. 6 and 8-A].
C. P. 29 ..	(J) 35 ..	Preliminary decree for redemption [Or. 34, r. 7 (1) (a)].
C. P. 29 (i)	(J) 35 (i)	Preliminary decree for redemption [Or. 34, r. 7 (1) (a)].
C. P. 29 (ii)	(J) 35 (ii)	Preliminary decree for redemption [Or. 34, r. 7 (1) (b)].
C. P. 29 (iii)	(J) 35 (iii)	Preliminary decree for redemption [Or. 34, r. 7 (4) (v)].

* The decree is framed under the Bengal Tenancy Act, 1885.

No. of Form (Old).	No. of Form (New.)	Description of form.
C. P. 29 (iv)	(J) 35 (iv)	<p>Preliminary decree for redemption of prior mortgage and foreclosure or sale on subsequent mortgage [Or. 34, rr. 2 (3) and 4(4)]</p> <p>Decree for rectification of instrument.*</p> <p>Decree to set aside a transfer in fraud of creditors.*</p> <p>Injunction against private nuisance.*</p> <p>Injunction against building higher than old level.*</p> <p>Injunction restraining use of private road.*</p> <p>Preliminary decree in an administration suit.*</p> <p>Final decree in an administration suit by a legatee.*</p> <p>Preliminary decree in an administration suit by a legatee where an executor, is held personally liable for the payment of legacies.*</p> <p>Final decree in an administration suit by next of kin.</p> <p>Preliminary decree in a suit for dissolution of partnership and the taking of partnership accounts.*</p> <p>Final decree in a suit for dissolution of partnership and the taking of partnership accounts.*</p> <p>Letter of request (Or. 26, 2, 5).†</p>
C. P. 91 ..	(J) 36 ..	Commission to examine absent witness (Or. 26, rr. 4, 18).
C. P. 92 ..	(J) 37 ..	Commission for a local investigation or to examine accounts (Or. 26, rr. 9, 11).**
(M) 155 ..	(J) 38 ..	Proceeding in connection with the issue of commissions under Or. 26, r. 9.
C. P. 93 ..	(J) 39 ..	Commission to make a partition (Or. 26, r. 13).
C. P. 84 ..	(J) 40 ..	<p>Decree on appeal (Or. 41, r. 35).</p> <p>Application to appeal in <i>forma pauperis</i> (Or. 44, r. 1).‡</p>
C. P. 77 ..	(J) 41 ..	<p>Memorandum of appeal (Or. 41, r. 1).</p> <p>Memorandum of cross-objection (Or. 41, r. 4).‡</p>
C. P. 96 ..	(J) 42 ..	Report to High Court of service of notice on respondent in special appeal (Or. 41, r. 14).
C. P. 31 ..	(J) 43 ..	Order sending decree for execution to another Court. (Or. 21, r. 6).
C. P. 32 ..	(J) 44 ..	Certificate of execution of decree transferred to another court (Or. 21, r. 6).

* For form, see Appendix D, C. P. Code.

** See also form No. (J) 38.

† For form, see Appendix H, C. P. Code.

‡ For form, see Appendix G, C. P. Code.

No. of Form (Old).	No. of Form (New).	Description of form.
C. P. 88 ..	(J) 45 ..	Letter transmitting decree for execution to another Court (S. 39, C. P. Code).
C. P. 33 ..	(J) 46 ..	Certificate for non-satisfaction of decree (Or. 21, r. 6).
C. P. 34 ..	(J) 47 ..	Application for execution of decree (Or. 21, r. 11).
C. P. 61 ..	(J) 48 ..	Certificate to judgment-debtor authorising him to mortgage, lease or sell property (Or. 21, r. 83).
C. P. 68 ..	(J) 49 ..	Precept (S. 46, C. P. Code).
C. P. 62 ..	(J) 50 ..	Application by judgment-debtor to set aside sale on deposit of debt (Or. 21, r. 89).
C. P. 63 ..	(J) 51 ..	Order confirming sale of land (Or. 21, r. 92).
C. P. 65 ..	(J) 52 ..	Certificate of sale of land (Or. 21, r. 94).
<i>Indian Succession Act.</i>		
C. P. 107 ..	(J) 53 ..	Grant of Probate of Will (S. 289, Succession Act).
C. P. 108 ..	(J) 54 ..	Grant of Letters of Administration (S. 90, Succession Act).
C. P. 109 ..	} See (J) 53 and (J) 54	
C. P. 110 ..		
C. P. 127 ..	(J) 55 ..	Succession Certificate (S. 377, Succession Act).
C. P. 128 ..	(J) 56 ..	Extended Succession Certificate (S. 377, Succession Act).
<i>Provincial Insolvency Act.</i>		
C. P. 137 ..	(J) 57 ..	Debtor's petition (S. 13).
C. P. 139 ..	(J) 58 ..	Order of adjudication (S. 27).
C. P. 141 ..	(J) 59 ..	Order annulling adjudication (S. 35).
C. P. 145 ..	(J) 60 ..	Order of discharge subject to conditions as to earnings, after acquired property and income [S. 41 (2), (a), (b) or (c)].
C. P. 148 ..	(J) 61 ..	Order appointing a Receiver (S. 56).
<i>Guardian and Wards Act.</i>		
C. P. 132 ..	(J) 62 ..	Application for guardianship (S. 10).

V.—Process.

No. of Form (Old).	No. of Form (New.)	Description of form.
C. P. 1 ..	(P) 1 ..	Notice to person who, the Court considers should be added as co-plaintiff (Or. 1, r. 10, C. P. C.).
C. P. 5 ..	(P) 1-A ..	Return of service of Summons, Notice, etc.
C. P. 94 {	(P) 2** ..	Notice to minor defendant and guardian of application for appointment of the guardian to be guardian for the suit (Or. 32, r. 3).
	(P) (2) (i)	Notice to minor defendant and guardian of application for appointment of another person to be guardian for the suit (Or. 32, r. 3).
C. P. 95 ..	(P) 3 ..	Notice to opposite party of day fixed for hearing evidence of pauperism (Or. 33, r. 6).
C. P. 2 ..	(P) 4 ..	Summons to appear in person (Or. 5, r. 3).
C. P. 3 } C. P. 4 } C. P. 4 (1).	(P) 5 ..	Summons for final disposal or for ascertaining whether a suit is contested or for settlement of issues (Or. 5, rr. 1, 5).
C. P. 16 ..	(P) 6 ..	Summons to legal representative of a deceased defendant (Or. 22, r. 4).
C. P. 17 ..	(P) 7 ..	Summons in summary suits on negotiable instrument (Or. 37, r. 2).
C. P. 9 ..	(P) 8 ..	Notice to defendant (Or. 9, r. 6).
		Notice to produce document (Or. 11, r. 16).*
		Notice to inspect document (Or. 11, r. 17).*
		Notice to admit document (Or. 12, r. 3).*
		Notice to admit facts (Or. 12, r. 5).*
C. P. 98 ..	(P) 9 ..	Notice to show cause (General form).
C. P. 10 ..	(P) 10 ..	Summons to witness (Or. 16, rr. 1, 5).
C. P. 13 ..	(P) 11 ..	Warrant of arrest of witness (Or. 16, r. 10).
		Warrant of committal (Or. 16, r. 16)†
		Warrant of committal (Or. 16, r. 18).†
C. P. 11 } C. P. 12 }	(P) 12 ..	Proclamation requiring attendance of witness (Or. 16, r. 10).‡
C. P. 14 } C. P. 15 }	(P) 13 ..	Warrant of attachment of the property of witness (Or. 16, r. 10).§
		Notice to parties of the day fixed for examination of a witness about to leave the jurisdiction (Or. 18, r. 16).§

**For form of notice to minor defendant under Or. 32, r. 3, C. P. Code, and natural guardian of minor defendant under 148 (h), B. T. Act, in suit for arrears of rent see (P) 61.

* For form, see Appendix C, C. P. Code.

† For form, see Appendix B, C. P. Code

‡ Forms Nos. 14 and 15, Appendix B, C. P. Code combined.

§ For form, see Appendix H, C. P. Code.

No. of Form (Old).	No. of Form (New).	Description of form.
C. P. 70 ..	(P) 14 ..	Warrant of arrest before judgment (Or. 38, r. 1).
C. P. 71 ..	(P) 15 ..	Summons to defendant to appeal on sureties, application for discharge (Or. 38, r. 3).
		Order for committal (Or. 38, r. 4).*
C. P. 72 ..	(P) 16 ..	Order to call for security with conditional attachment before judgment for fulfilment of decree (Or. 38, r. 5.)
C. P. 73 ..	(P) 17 ..	Attachment before judgment on proof of failure to furnish security (Or. 38, r. 6).
C. P. 74 ..	(P) 18 ..	Temporary injunction (Or. 39, r. 1).
New ..	(P) 19 ..	Notice of deposit of decretal amount under Or. 21, r. 1. (2)
		Notice of payment into Court (Or. 23, r. 1.).†
C. P. 30 ..	(P) 20 ..	Notice to show cause why a payment or adjustment should not be recorded as certified (Or. 21, r. 2).
C. P. 35 ..	(P) 21 ..	Notice of application for execution of a decree transferred for assignment (Or. 21, r. 16).
C. P. 36 ..	(P) 22 ..	Notice to show cause why execution should not issue (Or. 21, r. 22).
C. P. 38 ..	(P) 23 ..	Warrant to the bailiff to give possession of land, etc., (Or. 21, r. 35).
C. P. 37 ..	(P) 24 ..	Warrant of attachment of movable property in execution of a decree for money (Or. 21, r. 30).
		Warrant of seizure of specific movable property adjudged by decree (Or. 21, r. 31).‡
		Notice to state objections, to draft documents (Or. 21, r. 34).‡
C. P. 39 ..	(P) 25 ..	Notice to show cause why warrant of arrest should not issue (Or. 21, r. 37).
C. P. 40 ..	(P) 26 ..	Warrant of arrest in execution (Or. 21, r. 38).
C. P. 41 ..	(P) 27 ..	Warrant of committal of judgment-debtor to civil prison (Or. 21, r. 40).
C. P. 54 ..	(P) 28 ..	Order for the release of a person imprisoned in execution of a decree (Sections 58 and 59, C. P. C.).
C. P. 42 ..	(P) 29 ..	Attachment in execution—(1) Prohibitory order, where the property to be attached consists of movable property to which the defendant is entitled subject to a lien or right of some other person to the immediate possession thereof [Or. 21, r. 46 (1). (c)].

* For form, see Appendix F, C. P. Code.

† For form, see Appendix H, C. P. Code.

‡ For form, see Appendix E, C. P. Code.

No. of Form (Old).	No. of Form (New.)	Description of form.
C. P. 43 ..	(P) 30 ..	Attachment in execution—(2) Prohibitory order, where the property consists of debts not being negotiable instruments or of movable property not in the possession of the judgment-debtor [Or. 21, r. 46 (1) (a) and (c).]
C. P. 44 ..	(P) 31 ..	Attachment in execution—(3) Prohibitory order, where the property consists of shares in the capital of a Corporation [Or. 21, r. 46 (1) (b)].
C. P. 45 ..	(P) 32 ..	Order to attach salary of Public Officer or servant of Railway Company or local authority (Or. 21, r. 48).
C. P. 46 ..	(P) 33 ..	Order of attachment of negotiable instrument (Or. 21, r. 51).
C. P. 47 ..	(P) 34 ..	Attachment—(4) Prohibitory order, where the property consists of money or of any security in the custody of a court of justice or officer of Government (Or. 21, r. 52).
C. P. 48 ..	(P) 35 ..	Notice of attachment of a decree to the court which passed it [Or. 21, r. 53 (1)(b)].
C. P. 49 ..	(P) 36 ..	Notice of attachment of a decree to the holder of the decree or to the judgment debtor [Or. 21, r. 53(4) and (6)].
C. P. 52 ..	(P) 37 ..	Order for payment to the plaintiff, etc., of money etc., in the hands of a third party (Or. 21, r. 56).
C. P. 63 ..	(P) 38 ..	Notice to attaching creditor (Or. 21, r. 58).
C. P. 50 ..	(P) 39 ..	Attachment in execution (5)—Prohibitory order, where the property consists of immovable property [Or. 21, r. 54(1)].
C. P. 51 ..	(P) 40 ..	Notice to Collector forwarding a copy of order of attachment (or sale proclamation) to be hung up in his office [Or. 21, r. 54(2)].
C. P. 57 ..	(P) 41 ..	Order on the Nazir for causing service of sale proclamation (Or. 21, r. 66).
C. P. 58 ..	(P) 42 ..	Notice of the day fixed for settling a sale proclamation (Or. 21, r. 66).
C. P. 55 ..	(P) 43 ..	Warrant of sale of property in execution of a decree for money (Or. 21, r. 66).
C. P. 56 ..	(P) 44 ..	Proclamation of sale of immovable property (Or. 21, r. 66).
New ..	(P) 45 ..	Proclamation of sale of movable property.
C. P. 60 ..	(P) 46 ..	Prohibitory order against payment of debts sold in execution to any other than the purchaser (Or. 21, r. 79). Prohibitory order against the transfer of shares sold in execution (Or. 21, r. 70).*
		Notice to person in possession of movable property sold in execution (Or. 21, r. 79).*

* For form, see Appendix E, C. P. Code.

No. of Form (Old).	No. of Form (New).	Description of form.
C. P. 64 ..	(P) 47 ..	Notice to show cause why sale should not be set aside (Or. 21, r. 90, 91, 92).
C. P. 66 ..	(P) 48 ..	Order for delivery to certified purchaser of land at a sale in execution (Or. 21, r. 95).
C. P. 67 ..	(P) 49 ..	Summons to appear and answer charge of obstructing execution of decree (Or. 21, r. 97). Warrant of committal (Or. 21, r. 98).*
C. P. 85 ..	(P) 50 ..	Notice of appeal in <i>forma pauperis</i> (Or. 44, r. 1).
C. P. 82 ..	(P) 51 ..	Notice to respondent of the day fixed for the hearing of the appeal (Or. 41, r. 14).
C. P. 83 ..	(P) 52 ..	Notice to a party to a suit not made party to the appeal but joined by the Court as a respondent (Or. 41, r. 20).
C. P. 86 ..	(P) 53 ..	Notice to show cause why a review should not be granted (Or. 47, r. 4).
C. P. 87 ..	(P) 54 ..	Notice of application for the transfer of a suit to another court for trial (Sec. 24, C. P. Code.).
C. P. 89 ..	(P) 55 ..	Notice of surety of his liability under a decree (Sec. 145, C. P. Code).
(M) 172 ..	(P) 56 ..	First notice to take back documents.
(M) 173 ..	(P) 57 ..	Final notice to take back documents.
<i>Bengal Tenancy Act.</i>		
C. P. 113 ..	(P) 58 ..	Notice to landlord of deposit of rent in Court [see 63(2), B. T. Act] (vernacular).
C. P. 114 ..	(P) 59 ..	Notice to co-sharers of deposit of rent in Court [see 63 (2), B. T. Act]] (vernacular).
C. P. 115 ..	(P) 60 ..	Notice of deposit of rent in court to persons believed to claim or to be entitled to the rent, or who are entitled to it (S. 63, B. T. Act) (vernacular).
C. P. 115A	(P) 61 ..	Notice to minor defendant under Or. 32, r. 3, C. P. Code, and natural guardian of minor defendant under S. 148(h), B. T. Act, in suit for arrears of rent.
C. P. 116 to C. P. 121 C. P. 122 ..	Cancelled.	
	(P) 62 ..	Notice to third person of payment into court of rent due to him (S. 149) (vernacular).
C. P. 124 ..	(P) 63 ..	Order of attachment, proclamation of sale of tenure or holding with power to annual incumbrances in execution of a decree [S. 163(2) (b)].
C. P. 125 ..	(P) 64 ..	Order of attachment and proclamation of sale of tenure or holding subject to incumbrances in execution of a decree [S. 163(2) (a)].

* For form, see Appendix E, C. P. Code.

No. of Form (Old).	No. of Form (New.)	Description of form.
C. P. 126 ..	Cancelled.	
		<i>Regulation V (Bengal) of 1799.</i>
C. P. 101 ..	(P) 65 ..	Notice calling for claimants to property in intestate cases (sec. 7).
		<i>Land Acquisition Act I of 1894.</i>
C. P. 103 ..	(P) 66 ..	Notice to claimants of date fixed for the determination of objection (sec. 20).
C. P. 104 ..	(P) 67 ..	Notice to Collector of date fixed for hearing his reference (sec. 20).
		<i>Court-fees Act.</i>
C. P. 105 ..	(P) 68 ..	Notice to Collector of application made for probate of will or letters of administration (Sec. 19H, cl. (1)).
		<i>Indian Succession Act XXXIX of 1925.</i>
C. P. 106 ..	(P) 69 ..	Notice of date fixed for hearing probate or letters of administration cases (sec. 283).
C. P. 129 ..	(P) 70 ..	Notice calling on holder of succession certificate for accounts (vernacular).
C. P. 130 ..	(P) 71 ..	Order transmitting notice to other courts for publication of notice of application for succession certificate (s. 373).
C. P. 131 ..	(P) 72 ..	Notice inviting other claimants to representation to come forward (S. 373) (vernacular).
		<i>Guardian and Wards Act VIII of 1890.</i>
C. P. 133 ..	(P) 73 ..	Notice of application made for guardianship and of a date fixed for hearing (S. 11).
		<i>Transfer of Property Act IV of 1882.</i>
C. P. 135 ..	(P) 74 ..	Notice of deposit (S. 83).
		<i>Provincial Insolvency Act I of 1920.</i>
C. P. 138 ..	(P) 75 ..	Notice to creditors of the date of hearing of an insolvency petition (S. 19).
C. P. 140 ..	(P) 76 ..	Notice of application by unscheduled creditor [S. 33(3)].
C. P. 142 ..	(P) 77 ..	Notice to creditors of the date of consideration of a composition or scheme of arrangements [S. 38(1)].
C. P. 144 ..	(P) 78 ..	Notice to creditors of application for discharge [S. 41(1)].
C. P. 149 ..	(P) 79 ..	Notice to persons claiming to be creditors of intention to declare final dividend (S. 64).
C. P. 150 ..	(P) 80 ..	Summary administration notice to creditor (S. 74).

No. of Form (Old).	No. of Form (New).	Description of form.
		<i>Bengal Alluvial Lands Act (Bengal Act V of 1920).</i>
C. P. 158 ..	(P) 81 ..	General notice under section 5(2).
		<i>Indian Lunacy Act (IV of 1912).</i>
C. P. 159 ..	(P) 82 ..	Notice of time and place of inquisition (S. 40).
C. P. 160 ..	(P) 83 ..	Notice for attendance of the alleged lunatic for personal examination (S. 41).
		<i>Village Self-Government Act (Bengal Act of).</i>
C. P. 161 ..	(P) 84 ..	Notice calling for records under S. 74.
		<i>Bengal Money Lenders Act (Bengal Act VII of 1933).</i>
New ..	(P) 85 ..	Form of notice of deposit under S. 9(1).

VI.—Miscellaneous.

No. of Form (Old).	No. of Form (New).	Description of form.
New ..	(M) 1 ..	Daily List of plaints, petitions and appeals registered.
New ..	(M) 2 ..	Daily Cause List.
New ..	(M) 3 ..	Weekly list of cases, etc., fixed for peremptory hearing.
New ..	(M) 4 ..	List of movable/immovable properties to be sold in execution of decrees.
New ..	(M) 5 ..	Notice of decrees drawn up.
(M) 73 .. (M) 74 ..	} (M) 6 ..	Diary of Commissioners.
New ..		
New ..	(M) 7 ..	*Form for inspection of Courts.
New ..	(M) 7A ..	†Form for inspection of Record Room.
New ..	(M) 8 ..	**Form of confidential reports regarding Munsifs, etc.
(M) 183 ..	(M) 9 ..	Memorandum form from District Judge to other judicial officers and <i>vice versa</i> .
New ..	(M) 9(i) ..	Memorandum form from District Judge to other judicial officers and <i>vice versa</i> (short form).
C. P. 97 ..	(M) 10 ..	Requisition for records.
(M) 175 ..	(M) 11 ..	Letter advising the despatch of a record.
(M) 174 ..	(M) 12 ..	Letter to accompany a record.
(M) 182 ..	(M) 13 ..	Charge letter for District Judge proceeding on circuit duty.
(M) 184 ..	(M) 14 ..	Letter from the District Judge to the Registrar of the High Court regarding the enrolment of legal practitioners.
C. P. 69 ..	(M) 15 ..	Letter of authority to Collector to stay public sale of land (Sec. 72, C. P. C.).
(M) 156 ..	(M) 16 ..	Intimation to Collector of the withdrawal from attachment of an estate or share of an estate.
C. P. 6 ..	(M) 17 ..	Order for transmission of summons for service in the jurisdiction of another Court (Or. 5, r. 21).
C. P. 7 ..	(M) 18 ..	To accompany return of summons (or notice) of another Court [(Or. 5, r. 23) (a)].
		Order for transmission of summons to be served on a prisoner (Or. 5, r. 24).‡

* See Appendix I to Part IX, Vol. I, pp. 441-456.

† See Appendix II to Part IX, Vol. I, pp. 457-459.

** See Appendix to Part VII, Vol. I, p. 365.

‡ For Form, see Appendix B, C. P. Code.

No. of Form (Old).	No. of Form (New.)	Description of form.
C. P. 8 ..	(M) 19 ..	Order for transmission of summons to be served upon a public servant or soldier who is a defendant in a suit.
C. P. 102 ..	(M) 20 * ..	Order transmitting notices in intestate cases to be posted in other Courts.
(M) 159 ..	(M) 21 ..	Report of the sittings of Small Cause Court Judges.
(M) 160 ..	(M) 22 ..	Covering letter for report of the sittings of Small Cause Court Judges.
C. P. 81 ..	(M) 23 ..	Intimation to Lower Court of admission of appeal.
C. P. 59 ..	(M) 24 ..	Certificate by officer holding a sale of the deficiency of price on a re-sale of property by reason of the purchaser's default (Or. 21, r. 71). Security for appearance of a defendant arrested before judgment (Or. 38, r. 2).* Security for production of property (Or. 38, r. 5).*
C. P. 76 ..	(M) 25 ..	Bond to be given by a Receiver (Or. 40, r. 3).
C. P. 78 ..	(M) 26 ..	Security bond to be given on order being made to stay execution of decree (Or. 41, r. 5).
C. P. 79 ..	(M) 27 ..	Security bond to be given during the pendency of appeal (Or. 41, r. 6).
C. P. 80 ..	(M) 28 ..	Security for costs of appeal (Or. 41, r. 10).
New ..	(M) 29 ..	Bond for safe custody of movable property and left in charge of any person and sureties [Or. 21-A, rr. 3(a) and 5].
C. P. 134 ..	(M) 30 ..	Bond from appointed guardian (S. 34, Guardian and Wards Act).
C. P. 136 ..	(M) 31 ..	Bond for the appearance of a person before a Magistrate's Court in connection with an offence committed before a Civil Court (S. 476, Cr. P. Code). Agreement of parties as to issue to be tried.†
(M) 152 ..	(M) 32 ..	Descriptive roll of lunatics.
(M) 161 ..	(M) 33 ..	Court's certificate to be given to Government or local fund servants who attend court as witnesses.
(M) 179 ..	(M) 34 ..	Statement to be submitted with application for addition to the judicial staff.
(M) 185 ..	(M) 35 ..	Form of card for Pleaders' and Mukhtears' registered clerks.
New ..	(M) 36 ..	Application for inspection of record.
New ..	(M) 36A ..	Intimation to the High Court of non-payment of boat-hire.

* For Form, see Appendix F, C. P. Code.

† For Form, see Appendix H, C. P. Code.

No. of Form (Old).	No. of Form (New).	Description of form.
<i>Record Room.</i>		
(M) 186 ..	(M) 37 ..	Annual statement of records received in the Record Room.
(M) 187 ..	(M) 38 ..	Index to plan.
(M) 188 ..	(M) 39 ..	Index sheet for racks.
(M) 189 ..	(M) 40 ..	Defect report.
(M) 190 ..	(M) 41 ..	Form to be used on front flat board for indexing bundles of records.
(M) 191 ..	(M) 42 ..	Index to Index Register or Despatch list.
(M) 192 ..	(M) 43 ..	Removal slip.
(M) 193 ..	(M) 44 ..	Reminder Post-card for Records.
(M) 194 ..	(M) 45 ..	Reminder list.
(M) 195 ..	(M) 46 ..	Index to guard file.
(M) 196 ..	(M) 47 ..	Fortnightly progress report.
<i>Bengal Tenancy Act.</i>		
C. P. 111 ..	(M) 48 ..	Receipt granted by Court for deposit of rent (S. 62, B. T. Act) (vernacular).
C. P. 112 ..	(M) 49 ..	Notification of receipts by the Court of deposit made [S. 63(1), B. T. Act] (vernacular).
C. P. 123 ..	(M) 50 ..	Receipt for payment into Court by defendant of rent due (Sec. 152, B. T. Act) (vernacular).
<i>Provincial Insolvency Act.</i>		
C. P. 146 ..	(M) 51 ..	Proof of Debt: General form (S. 49).
C. P. 147 ..	(M) 52 ..	Proof of Debt of workmen (S. 49).
C. P. 143 ..	(M) 53 ..	List of creditors for use at meeting held for consideration of composition or scheme [S. 38 (2)].
<i>Saleable Forms.</i>		
(M) 181 ..	(M) 54 ..	Application for copies.
(M) 180 ..	(M) 55 ..	Application for information.

No. of Form (Old).	No. of Form (New.)	Description of form.
		<p><i>Bengal Money Lenders Act, 1933 (Beng. Act VIII of 1933).</i></p> <p>Part I.</p> <p>(M) 56 .. Form of demand by debtor for the supply of particulars concerning a loan under sec. 7(1).</p> <p>Part II.</p> <p>Particulars concerning a loan. [Sec. 7(1)].</p> <p>(M) 57 .. Receipt granted by Court under Sec. 9(1) for deposit of money due to money lender (vernacular).</p>

I—Account Forms.

FORM No. (A) 1.

(a) Occasional Form.

Chalan.

Part I.—To be filled in at Court by the payer.

Name of person or persons on whose behalf the money is tendered.	Name of person or persons to whose credit the amount is to be placed in the Court's book.	No. of suit or date of decree or order (if any) under which the amount is tendered.	Particulars of receipt.	Amount tendered.	Remarks (if any).
1	2	3	4	5	6

Signature of Chief Ministerial Officer.

Signature of person tendering the money. .

Part II.—To be filled in by the Court or under its orders.

No. and date in the register of chalan.	No. and date of the item in the register of deposit receipts.	Account to be credited, whether civil suit deposits, fines or forfeitures, stamp duty and penalties, or miscellaneous or other receipts.	Remarks.
1	2	3	4

Signature of Accountant.

To

Cashier of the Court/Officer in charge of the Treasury.

Receive and credit the above sum if tendered to you before 3 p.m. to-day/ to-morrow.

Signature of Judge in charge.

Dated

Part III.—To be filled in at Court by Cashier, or at Treasury by Treasury Officer.

Received notes ¹	..	..	..	.
Received silver and copper	..	..	..
Received Total	..	..	..

Cashier of Court or of the Treasury.

Accountant of the Treasury.

²Examined and entered in the books of the Treasury on the

³Signature of Treasury Officer.

Note.—This form is furnished in triplicate free of cost.

¹Enter here Nos. of the notes.

²To be filed in only when presented at Treasury.

FORM No. (A) 2.**Payment order.**

Part I.—Application for payment of judicial deposits to be filled in by the applicant.

Name of applicant, etc.	Date and purport of the Court's decree or order.	Names of the parties in the case and number of the suit.	Court's No. and date of the original deposit.	Amount to be paid.	Remarks.
1	2	3	4	5	6
				Rs. a. p.	

Date

Signature of applicant.

Examined and found correct.

Signature of Chief Ministerial Officer.

Signature of Presiding Officer.

Note.—In the case of repayment of deposits in favour of a Ward's Estate, the manager of the estate or his duly authorized agent should insert the words "By transfer" in column 6 of the form. If the personal ledger account of the Estate is maintained at a treasury other than that from which the repayment of the deposit is made a money-order form duly filled in for remitting the amount less money-order commission should accompany the application. (Accountant-General's No. T.M.-1011, dated 13th January 1917.)

Part II.—To be filled in by the Court or under its orders.

Serial No. and date of payment order.		Court's chalan No. and chalan date of the original deposit from which the payment is sought.		Amount in deposit. ¹	At whose credit in deposit.
1	2	3	4	5	6

To the Officer in charge of the Treasury at
The Court.

/Cashier of

Please pay as above to

or order Rupees²

Signature of Court's Accountant.

Signature of Judge in charge.

¹ As per Court's Register of Deposit Received [Form No. (A) 18].

² Words and figures.

Note 1.—This order is not payable more than ten days after date without a renewal enforcement by the Court, and it absolutely lapses and ceases to have effect on the 31st March next.

Note 2.—Payee is hereby to take notice that after tender and payment of this order, the Treasury Officer will admit no further responsibility. It is the duty of the payee to see to the proper custody of this document until it is cashed.

Note 3.—The signature below the words "Examined and found correct" in Part I of this Form and in Form No. (A) 3 must of course be held to indicate that the officer signing the certificate has satisfied himself "that the applicant is the proper party to receive payment of the amount claimed," and that the particulars stated are correct; while the Judge in charge will be responsible that the amount claimed is in deposit, that there is no bar to payment, and that the name of the claimant corresponds with that of the payee entered in his Register. (Accountant-General's No. 45-T.M., dated 28th April 1882.)

Note 4.—The authority to the Treasury Officer should be modified as follows in the case of repayments of deposits in favour of a Ward's Estate—"Please pay as above by transfer credit to the personal ledger account of Ward's Estate" or "please pay as above by transfer credit to Post Office for remitting the amount less money order commission to the Treasury Officer for credit to the personal ledger account of the Ward's Estate," as the case may be. (Accountant-General's No. T.M.-1011, dated 13th January 1917.)

Part III.—To be filled in at Treasury (or at Court if payable there).

Received contents, Rupees

Stamp of one
anna if for
more than
Rs. 20.*Signature of Disbursing Cashier.**Payee's signature.**Treasury No.*

Pay Rupees

The

19 .

Officer in charge of Treasury.

Examined and entered.

Accountant.

For use in Accountant-General's office.

Admitted in full.

Auditor.

Admitted Rs. ; Objected Rs.

*Grounds of objection.**Auditor.*

Notes.—The pay order should be modified as follows in the case of repayment of deposit in favour of a Ward's Estate :—“Pay Rs. by transfer credit to the personal ledger account of Ward's Estate ” or “Pay Rs. by transfer credit to Post Office for remittance less money order commission to the Treasury Officer for credit in the personal ledger account of Ward's Estate ,” as the case may be. (Accountant-General's No. T.M.-1011, dated 13th January, 1917.)

• **FORM No. (A) 3.****Payment order.**

Part I.—Application for payment of ^{rent deposits} deposits under the Bengal Money Lenders Act, 1933
(to be filled in by the applicant).

Name of applicant.	Court's No. and date of the original deposit.	Amount to be paid.
1	2	3
		Rs. a. p.

Date

Signature of applicant.

¹Examined and found correct.

Signature of Chief Ministerial Officer.

Signature of Presiding Officer.

See Note 3 to Form No. (A) 2, Part II.

Part II.—To be filled in by the Court or under its orders.

Serial No. and date of payment order.		Court's chalan No. and chalan date of the original deposit from which the payment is sought.		Amount in deposit ¹ .	At whose credit in deposit ¹ .
1	2	3	4	5	6
				Rs. a. p.	

To the Officer in charge of the Treasury at the Court.

/Cashier of

Please pay as above to

or order Rupees²

Signature of Court's Accountant.

Signature of Judge in charge.

¹As per Court's Register of Deposits Received [Form No. (A) 18.]²Words and figures.

Note 1.—This order is not payable more than ten days after date without a renewal enforcement by the Court, and it absolutely lapses and ceases to have effect on the 31st March next.

Note 2.—Payee is hereby to take notice that after tender and payment of this order, the Treasury Officer will admit no further responsibility. It is the duty of the payee to see to the proper custody of this document until it is cashed.

Part III.—To be filled in at Treasury (or at Court if payable there).

Received contents, Rupees

Stamp of one
anna if for
more than
Rs. 20.

Payee's signature.

Signature of Disbursing Cashier.

Treasury No.

Pay Rupees

Officer in charge of Treasury.

The 19 .

Examined and entered.

Accountant.

FORM No. (A) 4.

Refund of Lapsed Deposit.

To

THE ACCOUNTANT-GENERAL,

SIR,

The following refunds of lapsed deposits aggregating Rs. (in words)
 have been claimed by , of whose identity and title
 to the money I have satisfied myself. I request your sanction to the refund :—

Class of deposit.	Particulars of original desposit.		Balance credited to Government.			Date of lapsed statement.	Amount claimed.			Remarks.
	Year.	No.								
			Rs.	a.	p.		Rs.	a.	p.	

The 19 .

Judge, Magistrate or other Officer.

Accountant-General's Office No. , dated

Sanctioned.

Received payment

Accountant-General.

Date _____

Receipt
Stamp.

Claimant.

Pay rupees () only.

The 19 .

Treasury Officer.

Examined.

Accountant.

Note.—The signature of the claimant should be obtained on this form and the form should be returned as a voucher in support of the debit.

FORM No. (A) 5.

Orders for refunds of revenue.

District of			Refunds of revenue.							Voucher No. of List of
Head of service chargeable.			Refunds and drawbacks.							payment for 19 .
In whose name credited.	On what account received.	Amount realised.	Date of payment into Treasury.	Amount in which included and head to which credited.	Treasury Officer's signature in token of verification of treasury credit.	Name of payee.	Amount to be refunded.	Reasons and authority for refund.		
1	2	3	4	5	6	7	8	9	10	
		Rs. a. p.		Rs. a. p.			Rs. a. p.	Reasons.		
								Authority. Sanctioned. Controlling officer or _____	This order of refund has been registered and noted against the original receipt entry in the departmental account under my initials and previous order for refund of the same sum has not been issued.	
								No. dated	Signature Designation Date	

Received payment.

Passed for payment.

Claimant's signature.

Magistrate or other Officer.

The - - - 19 . .

Stamp if
required.

Pay Rupees () only.

Examined.

Accountant.

Officer in charge of Treasury.

Note 1.—This order is not payable more than ten days after date without a renewal enforcement by the Court, and it absolutely lapses and ceases to have effect on the 31st March next.

Note 2.—No useful check can be exercised over refunds of revenue in the Account Office, except in cases where full details of the collections of such revenue are received in that office, either in the treasury accounts or in other documents, e.g., Fine statements. It is therefore essential that every refund should be noted against the original credit in the departmental accounts, where all sums are entered in detail. This voucher for refunds provides for a certificate of such note having been made. The officer who received the amount should fill in columns 1 to 5 of the form and sign the certificate in column 10, while the Treasury Officer or the Sub-Treasury Officer should verify the credit by means of the particulars in columns 4 and 5 and affix his signature in column 6 in token of his having done so.

The sanction necessary for refunds of revenue is regulated by the orders of the Local Government. This sanction may either be given on the voucher itself or quoted in it, a certified copy being attached when such orders are not separately communicated to the Audit Office.—Articles 99 and 100 of the Civil Account Code, Volume I, 7th edition—(H. C. Progs., October 1895, No. 302. Amended, 1909-10.)

FORM No. (A) 6.**Certificate for the refund of stamp fee.**

No.

District of	Certificate for the refund of the stamp fees levied on the petition specified below.				Voucher No. of
Head of service chargeable.	3. Refunds and Drawbacks ; Revenue Refunds. Stamp—Miscellaneous Stamps Refunds.				List of for 19 .
Number of suit or petition and names of the parties. 1	Value of stamp and description of paper. 2	Amount of claim in suit. 3	Names of the parties receiving refunds. 4	Amount to be refunded. 5	Under what Act, section, and clause the amount is refunded. 6
	Rs. a. p.	Rs. a. p.		Rs. a. p.	

The 19 .

To the Collector of

Receipt stamp if
above Rs. 20.*Claimant's Signature.*

Pay Rupees net

*The 19.**Officer in charge of Treasury.*

Examined.

Accountant.

Certified that
or his order is entitled under the order of the Court (
dated the 19 , to the refund of Rs.¹

*Judge.*¹To be stated in words also.

FORM No. (A) 7. •**Order for the refund for the value of Court-fee stamps paid on account of**

District of .	3. Refunds and draw-backs.	Month of 19
Head of service chargeable	Revenue Refunds Stamps.	Voucher No. of List of payments for 19 .

Pay to-
the sum of Rupees _____, being the value
of Court-fee stamps paid by him on account of—
—the refund of which has been ordered by
—of
as authorised by the High Court. This order of refund has been registered
and no previous order for refund of the same amount has been issued.

*Signature of Judge in charge.**Dated the _____ of _____ 19—.***To the Collector of****Pay Rupees net _____ (—) only***The _____**Officer in charge of Treasury.***Examined.***Accountant.**The _____ 19—.***Received contents.**

Receipt •
stamp if
above
Rs. 20.

FORM No. (A) 8.

Advice List to Treasury for cheques issued.

To

THE OFFICER IN CHARGE OF THE TREASURY

AT

Dated **the** **19**

Sir,

I beg to advise having to-day issued upon you the under-noted cheque amounting in the aggregate to Rs. 1

I have the honour to be,

Sir,

Your most obedient Servant,

Judge in charge.

¹Amount to be entered in words.

[illegible]

Daily Advice List of receipts and payments at the Treasury at
of on the day of on the requisition of the 19 .

¹Date of last prior transaction—

The of 19

The date of last prior transaction should invariably be filled in.

FORM No. (A) 10.

Subordinate Court's Daily Advice List of sums received and paid under the orders of the Court of _____ on the _____ day of _____ 19 _____, being the date of actual receipt or actual disbursement at the Court or at the Treasury.

Date of last prior transaction¹—The _____ of _____ 19 _____.

[N.B.—This statement is to be compiled from Registers Nos. (A)18, (A)19 and (A) 22.]

Receipts.	Rs.	a.	p.	Payments.	Rs.	a.	p.
Judicial deposits exceeding Rs. 5 each				Repayment of deposits exceeding in amount Rs. 5 each received in all previous years, as per detailed register attached [Form No. (A) 19].			
Judicial deposits of Rs. 5 and under							
Fines and forfeitures ..				Repayment of deposits exceeding in amount Rs. 5 each received in last year.			
Stamp duty and penalties ..				Repayment of deposits exceeding in amount Rs. 5 each received during the previous months of the current year.			
Miscellaneous and petty receipts ..				Repayment of deposits exceeding in amount Rs. 5 each received during the current month.			
				Repayment of B deposits received during the year of account.			
				Repayment of B deposits received during the year preceding the year of account.			
Total ..				Total ..			

Certified that this statement has been examined with the Cash books and Registers of Chalangans and Payment Orders and is correct.

Certified that I have examined the Register of "B" deposits of this Court and found them to be written up to date and to be in order.

Judge in charge.

To the District Judge of _____

¹The date of last prior transaction should invariably be filled in.

Notes.—This Daily Advice List will be furnished only by the Judge in charge of accounts of the Courts at other than the sadar station, who may either be a Subordinate Judge or a Munsif, but no such list will be sent by any of the Courts at the sadar station.

FORM No. (A) 11.

Plus and minus memorandum of deposits in the Court of
for the month of 19

of

	Rs.	a.	p.
Balance of last month			
Amount of A deposits received during the month—			
Repaid during the month			
Not repaid during the month			
Amount of B deposits received during the month—			
Repaid during the month			
Not repaid during the month			
Total ..			
Amount of A deposits repaid during the month—			
Received in all previous years			
Received last year			
Received during current year—			
Previous months			
Current month			
Amount of B deposits repaid during the month—			
Received during 19 -19			
Received during 19 -19			
Total ..			
Balance of deposits outstanding ..			

Certificate.

Certified that on a comparison of Treasury Advances with postings therefrom in the Registers of chalans, of payment orders, of deposit receipts, and of repayments, the amount entered above as received and paid are correct.

The

19

Judge in charge.

Notes.—The re-payments of B deposits received in the year of account and in the year next preceding should be shown separately.

FORM No. (A) 13.

-Treasury in the month of_____19.

[illegible]

through whom, the deposit is received, must be given.

FORM No. (A) 14.

**Register of Chalang for money tendered in the Court of
month of 19 .**

In the

[illegible]

Note 1.—Column 5 should be totalled and compared with the figures in the debtor side of the Cash-book.

Note 2.—After receipt of the Treasury Advice for the last day of the month, the monthly totals of this Register shall be compared with the monthly totals of the several separate Registers of receipts kept by the Accountant. The difference, if any, will be due to chains issued, but not presented in time to the Treasury, and the amount of such must be written off.

FORM No. (A) 15.

Register of Cheques for petty payments made into
the Court of the _____
at _____ to the credit of
Government.

Chalan for petty payments.

[illegible]

Date.	Number.		Amount.		
			Rs.	a.	p.

[illegible]

* taken in the remarks column.

FORM Nos. (A) 19 (i) and (A) 19 (ii).

Daily Register of Deposits repaid at the Treasury of or repaid at the Court and advised to the Treasury during the

• month of

19 .

Part I.— A Deposits.

Part II.—B Deposits.

Details of deposit.			Dates as to present Repayment.		No. of repayment voucher.	Amount repaid.	Received in all previous years.	Received last year.	Received during current year.		Initials of Accountant.	Initials of Judge in charge.	Remarks.
Date of Receipt.	No. as per Register of Receipts.	Amount or balance of deposit.	Date of cashing payment order, whether at Court or at Treasury.	Date of granting payment order as per Court's Register.					Previous months.	Current month.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14
		Rs. a. p.				Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.			

Note 1.—Separate Registers must be maintained for each of these two classes of deposits.
Note 2.—Columns 12 and 13 need not be filled up in the copy sent to the Accountant-General.
Note 3.—Each entry in this Register should be compared with the corresponding entry in the Register of Payment Order.

FORM No. (A) 20.

Clearance Register of A Deposits received at Treasury in 19 still outstanding on 1st April 19 .

Data.	Number of each deposit.	Name of persons from whom received.	Nature of each deposit.	Balance of each deposit.	Details of repayment (to be posted)											
					In the second year after receipt.											
					April.	May.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
				Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.

In the Accountant-General's office.																
In the third year after receipt.																
April.	May.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.	Total repayments on each deposit.		Balance of each deposit lapsed and credited to Government.		
18	19	20	21	22	23	24	25	26	27	28	29	30	31	Rs. a. p.		
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.		

FORM No. (A) 21.

District Judge's Daily Register of Deposits advised as having been received and repaid under orders of the Subordinate Courts.

Deposits exceeding in amount Rs. 5 each.												Deposits of Rs. 5 and under.			
Date of actual receipt or repayment as advised.	Total amount received.	Repaid on account of all previous years.	Repaid on account of past year.	Repaid on account of current year.		Total amount repaid.	Amount received.	Amount repaid.		Daily balance B.	Initial of District Judge.				
				Previous months.	Current month. A.			Previous year.	Current year.						
1	2	3	4	5	6	7	8	9	10	11	12				

Notes.—The column marked A should be proved monthly by comparing the difference between it and the column "Total amount received" with the statement of outstanding deposits mentioned in rule 824, Ch. 32, Vol. I. The column marked B should be tested by comparing the balance on the last day of each official year with the list of unpaid deposits mentioned in rule 835, *ibid.*

[illegible]

Note 1.—The entries in this register should be compared daily with the corresponding entries in the
Note 2.—The details of items in column 5 should be forwarded to the Treasury Officer when remitting

FORM No. (A) 23.

Register of Receipts granted by Cashier for Peremptory Cash.

No.

Dated _____.

Received from

the sum of

on account of

Signed

Cashier of the Court of

at

* *Note.*—The unperforated form below this sheet is to be used as the counterfoil to be prepared with carbon paper.

* To be printed on every alternate sheet.

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

FORM NO. (A) 24.

Peremptory Cash Register of the Court of for

Notes 1.—Recipients of money should be required to affix their dated signatures in column 28 against each item of money paid to them. The practice of bracketing two or more items and affixing one signature should not be permitted.

Notes 2.—When any payment is made by money order, the money order receipt, in original, shall be pasted into the column provided for "signature of payee."

No. (A) 24.

Cr.

the **day of the month of**

19 .

[illegible]

Checked and agreed.

- **Accountant.**

FORM No. (A) 25.

Cash Book.

| Receipts. | | | | | | Payments. | | | | | |
|--------------------|-------------------------|------------------------------------|---|--|---------|-----------------------------|------------------------------|---------------------------|--|---------|---|
| Date. | Particulars of receipt. | Amount creditable to the Treasury. | Permanent advance recouped from the Treasury. | Amount due to others (received from Treasury or from other sources). | Total. | Particulars of expenditure. | Amount remitted to Treasury. | Out of permanent advance. | Amount paid to others whether received from the Treasury or other sources. | Total. | Remarks.
(Details of the closing balance, etc.). |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | | Rs.a.p. | | Rs.a.p. | Rs.a.p. | | Rs.a.p. | Rs.a.p. | Rs.a.p. | Rs.a.p. | |
| Total receipts .. | | | | | | Total of payments | | | | | |
| Opening balance .. | | | | | | Closing balance .. | | | | | |
| GRAND TOTAL .. | | | | | | GRAND TOTAL .. | | | | | |

Clerk in charge.

Officer in charge.

| Date. | Particulars
of bill or
cheque. | Amount.
• | Initials
of the Gaset-
ted Officer
who signed
the bill or
cheque. | Date of pre-
sentation at
the Treasury | Amount actually
received from
the Treasu-
ry. | Date of realisa-
tion and
entry in the
cash book, | Initials
of the Gaset-
ted Officer
in charge
of cash. | Remarks. |
|-------|--------------------------------------|--------------|--|--|--|--|---|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | | Rs. a. p. | | | Rs. a. p. | | | |
| | - | . | | | . | | | . |

FORM No. (A) 27.

Register of Unclaimed Intestate Property received in custody by the Nazir.

| Serial
-No. | Place
whence
received. | Name
of de-
ceased
and date
of death. | Particulars of property. | | | Date of— | | How disposed of. | | | Balance
left. | Paid
into
Treasury
with date. | Date of
final dis-
posal
and page
of cash
book. | Remarks. |
|----------------|------------------------------|---|--------------------------|---|---------------------|----------|--------------------------------|--|---------------------------------|--|------------------|--|--|----------|
| | | | Cash. | Quantity
and des-
cription
of other
articles. | Estimated
value. | Receipt. | Issue of
proclama-
tion. | Amount
of sale
proceeds
or of
money
recovered
on bond,
rent, etc.,
with
date. | Charges
to be de-
ducted. | Property
and value
paid to
heirs and
other
persons. | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| | | | Rs. a. p. | | Rs. a. p. | | | Rs. a. p. | Rs. a. p. | Rs. a. p. | Rs. a. p. | Rs. a. p. | | |

| No. of lot. | Amount of last bid or at which the lot is knocked down. | | | Name of purchaser. | Amount of earnest money or of purchase money. | | | Date of credit into Court's accounts. | Balance of purchase money. | | | Date of credit into Court's accounts. | Remarks. |
|-------------|---|----|----|--------------------|---|----|----|---------------------------------------|----------------------------|----|----|---------------------------------------|----------|
| 1 | 2 | 3 | 4 | 3 | 4 | 5 | 6 | 5 | 6 | 7 | 8 | 7 | 8 |
| | Rs. | a. | p. | | Rs. | a. | p. | | Rs. | a. | p. | | |
| | | | | | | | | | | | | | |

Notes.—Sales of both movable and immovable property should be entered. In the case of movable property, a short description should be entered in column 1.

Classification.—The kinds of payments to be recorded under each head are detailed in Appendix C to the Bengal Treasury Manual. Expenditure must be shown as incurred on the account on which it is made.

Permanent advance.—The permanent advance must be recouped on the last working day of each month, as also when the charge of office is transferred in the course of the month.

Contract Contingent Bill.—When it becomes necessary to draw money from the Treasury, the several columns should be totalled, and only the totals of each of the columns should be posted against the printed headings in the contract contingent bill.

Numbering Bills.—There should be a separate annual series of numbers given to the bills drawn against each allotment.

Allotment.—It must be distinctly borne in mind that, for any excess over allotment, the drawing officer is held personally liable, and that unless he can procure exemption from Government, the amount will be recovered from his personal allowances.

Variations in allotment.—Each increase or decrease should be entered in the columns provided therefor immediately it is known.

| Date. | To whom paid. | Description of charge. | Number of sub-voucher. | Number given to each contract bill. | Hot and cold weather charges. | Tour charges. | Country stationery. | Repairs to tents. | Purchase and repair of furniture. | Office expenses. | Miscellaneous. | Service postage stamps. | Service Telegram. | |
|-------|---------------|------------------------|------------------------|-------------------------------------|-------------------------------|----------------|---------------------|-------------------|-----------------------------------|------------------|-----------------|-------------------------|-------------------|-----------------|
| 1 | 2 | 3 | 4 | 5 | 6
Rs. a. p. | 7
Rs. a. p. | 8
Rs. a. p. | 9
Rs. a. p. | 10
Rs. a. p. | 11
Rs. a. p. | 12
Rs. a. p. | 13
Rs. a. p. | 14
Rs. a. p. | 15
Rs. a. p. |

Sanction.—Budget provision does not warrant special and unusual expenditure. Sanctions not acted on for a year become void.

[illegible]

FORM No. (A) 31.*

Receipt by peon for money realised in execution of decrees, etc.

Book No.

of 19

Cheque Receipt No.—

The name of Court—

Number and year of the case—

The names of parties—

On what account—

Amount realised—

From whom received—

Date of receipt—

Signature of peon with number—

Note—The Nazir will see that the carbon paper in the book is giving a clear offset.

*** Vernacular versions of this form only have been printed.**

Register of Fees, Fines, Penalties and Forfeitures.

| Serial No. | Date. | Number of suit. | Name of the party. | Nature of order. | Amount. | Initials of presiding officer. | Remarks. |
|------------|-------|-----------------|--------------------|------------------|-----------|--------------------------------|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | | | Rs. a. p. | | |

Note.—This register shall be maintained by each court under whose decree or order receipts under sub-heads (i) to (iii) of head (A), of rule 746, Ch. 29, Vol. 1, are realised.

FORM No. (A) 33.

Receipt to accompany cheque of Land Acquisition Officer.

| | | | | |
|---|-------------------|---------------|-------------------------|---|
| Name of work for which land has been acquired | | | | |
| To the Judge of the Court at _____ | | | | |
| The sum of Rupees _____ on account of compensation for land taken up for the above purpose payable as detailed below, is tendered for deposit in Court under section 31 (2) of Act I of 1894 :— | | | | |
| Serial No. in Award Statement No. — | Names of parties. | Area of land. | Amount payable to each. | Remarks. |
| | | Acre. | R. a. p. | Paid by Cheque No. — on the — Treasury. |
| Total | | | | |

Land Acquisition Officer.

Dated the _____ 19 .

Received the above amount for credit to Civil Court Deposits.

_____ Judge.

Note.—This form should be used when the amounts of compensation due are sent to a Civil Court for deposits.

| | | | | |
|---|-------------------|---------------|-------------------------|---|
| Name of work for which land has been acquired | | | | |
| To the Judge of the Court at _____ | | | | |
| The sum of Rupees _____ on account of compensation for land taken up for the above purpose payable as detailed below, is tendered for deposit in Court under section 31 (2) of Act I of 1894 :— | | | | |
| Serial No. in Award Statement No. — | Names of parties. | Area of land. | Amount payable to each. | Remarks. |
| | | Acre. | R. a. p. | Paid by Cheque No. — on the — Treasury. |
| Total | | | | |

Land Acquisition Officer.

Dated the _____ 19 .

Received the above amount for credit to Civil Court Deposits.

_____ Judge.

Note.—This form should be used when the amounts of compensation due are sent to a Civil Court for deposits.

| | | | | |
|---|-------------------|---------------|-------------------------|---|
| Name of work for which land has been acquired | | | | |
| To the Judge of the Court at _____ | | | | |
| The sum of Rupees _____ on account of compensation for land taken up for the above purpose payable as detailed below, is tendered for deposit in Court under section 31 (2) of Act I of 1894 :— | | | | |
| Serial No. in Award Statement No. — | Names of parties. | Area of land. | Amount payable to each. | Remarks. |
| | | Acre. | R. a. p. | Paid by Cheque No. — on the — Treasury. |
| Total | | | | |

Land Acquisition Officer.

Dated the _____ 19 .

Received the above amount for credit to Civil Court Deposits.

_____ Judge.

Note.—This form should be used when the amounts of compensation due are sent to a Civil Court for deposits.

FORMS Nos.(R) 1 (i) and (R) 1 (ii).

II.—Registers.

FORMS Nos. (R) 1 (i)

I. Register of

II. Register of Money

Court of the

(To be maintained in all Courts of Original

| 1 | 2 | Plaintiff. | | | Defendant. | | | Claim. | | | Appearance. | | | Judgment. | | | Appeal. | |
|---|---|------------|-------------------|--------------------------|------------|-------------------|--------------------------|-------------------|------------------------|---|----------------------------------|------------------|------------------|-------------|-----------------|----------------------------|-----------------------------------|---------------------------|
| | | 3
Name. | 4
Description. | 5
Place of residence. | 6
Name. | 7
Description. | 8
Place of residence. | 9
Particulars. | 10
Amount or value. | 11
When the cause of action accrued. | 12
Day for parties to appear. | 13
Plaintiff. | 14
Defendant. | 15
Date. | 16
For whom. | 17
For what, or amount. | 18
Date of decision of appeal. | 19
Judgment in appeal. |
| | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | Rs. | a. | p. | | | | | | | |

Note 1.—When there are numerous plaintiffs or numerous defendants, the names of the first plaintiff number of parties impleaded, e.g., A. B. and 1 seven others.

Note 2.—In column 9 enter facts constituting the cause of action and particulars required by Order 7, rule that rule.

Note 3.—In column 12 shall be entered the first date of hearing of the suit and in columns 13 and 14 the date of decision of the court.

Note 4.—In column 16 should be indicated whether the decision was *ex parte*, on compromise or on order on Second Appeal or Revision, if any.

Note 5.—Cases remanded under Order 41, rule 23 or restored to file under Order 9, rule 4 or case the letter "R" will be affixed to the number to be entered in column 2 and the date of restoration to file.

Note 6.—Cases under the Religious Endowments Act, 1863, under sections 83 and 92, Order 21, rule under section 5 of the Bengal Aliuvial Lands Act, 1920, must be registered as suits.

Note 7.—A note should be made of all parties brought on or struck off the record under Order 1 or withdrawal of the claim or a portion of the claim against any of the defendants.

Note 8.—Any amendments or alterations made during the progress of the suit in the value or particulars should be noted in column 10.

Note 9.—Courts to which suits are transferred should note the old numbers and the dates of institution.

Note 10.—When the court of execution is other than the court which passed the decree, the name of the court should be entered in column 11.

Note 11.—In column 22 the date of the final order is to be entered.

Note 12.—In column 23 the particulars and the date of adjustment or satisfaction otherwise than by order should be entered in column 24.

Note 13.—In column 33 should be entered the order in appeals, revisions or under section 144, Civil Code, 1908.

Note 14.—In the Register for suits for money and movables, column 2 should be sub-divided into two under Small Cause Court powers to be entered in red ink.

Note 15.—The entries in this register shall be made contemporaneously with the passing of orders.

and (R) 1 (ii).

Title Suits.

and Movable Suits.

of at

Jurisdiction other than Courts of Small Causes.)

| Execution. | | | | | | Return of Executions. | | | | | | | | Remarks |
|--|--|---|--------------------------|--------------------------------|------------------|--|-------------------------|-------------------|---|---|--|--|---|---------|
| Number of execution application as per execution application register and the date of application. | | | | | | Adjustments and satisfaction reported, if any. | | | | | | | | |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | |
| | Relief sought, if money, amount claimed. | Order and date thereof. If portion of relief not granted, what portion. | Against whom order made. | For what, amount to be stated. | Amount of costs. | | Amount paid into court. | Persons arrested. | Whether judgment-debtor committed to jail, if not, why not? If committed to jail, the period of stay in it. | Minute of other return other than arrest and payment. | Amount of relief still due and why execution petition is closed. | If petition infructuous, why and to what extent. | Appeal, if any, against order in execution and if so, the result. | |
| Rs. | a. | p. | | | | Rs. | a. | p. | | | | | | |

only, or the first defendant only, as the case may be, need be entered in the Register with a note of the total, clauses (g) and (A) and also the value of the suit for purpose of jurisdiction as required by clause (f)

names of the pleaders or vakils or advocates of the parties.

contest against all or any of the defendants.

the Appellate Court and not only the particulars of the order on First Appeal but the particulars of the Rule 9 or rule 13 will be readmitted and entered in the Register in their original numbers. In each will be noted in column 1.

90, Order 30, rule 3, and Schedule II, Paragraphs 17 and 20, Civil Procedure Code, and references made 22, Civil Procedure Code, or of any alteration in the appointment of guardian *ad litem* and also of any

of the claim or as to the date or place of cause of action should appear in column 9.

in the suit registers within brackets.

executing court should be entered in column 30.

execution should be entered.

Procedure Code, with date and name of Court.

columns, (c) and (d), the latter being used for a separate consecutive serial number for all suits dealt with

during the progress of the suits or subsequent proceedings, if any, and not after their final disposal.

No. (R) 1 (iii).

(Section 148, Bengal Tenancy Act).

of at

Jurisdiction other than Courts of Small Causes.)

| Execution. | | | | | | Return of Executions. | | | | | | | | | | Remarks. |
|--|--|---|--------------------------|--------------------------------|------------------|--|-------------------------|-------------------|--|---|--|--|---|--|--|----------|
| 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | | | |
| Number of execution application as per execution application register and the date of application. | Relief sought. If money, amount claimed. | Order and date thereof. If portion of relief not granted, what portion. | Against whom order made. | For what, amount to be stated. | Amount of costs. | Adjustments and satisfaction reported, if any. | Amount paid into court. | Persons arrested. | Whether judgment-debtor committed to jail, if not, why not? If committed to jail the period of stay in it. | Minute of other return other than arrest and payment. | Amount of relief still due and why execution petition is closed. | If petition infructuous, why and to what extent. | Appeal, if any, against order in execution and if so, the result. | | | |
| | | | | | Rs. a. p. | | Rs. a. p. | | | | | | | | | |
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entered and in cases exceeding that number, the names of the first plaintiff and first defendant only. No. 8 of 11th January, 1932, and General Letter No. 32 of 6th September, 1932). When the names exceed

1, clauses (g) and (A) and also the value of the suit for purpose of jurisdiction as required by clause (i) of

the names of the pleaders or vakils or advocates of the parties.

contest against all or any of the defendants.

the Appellate Court and not only the particulars of the order on First Appeal but the particulars of the 9 or rule 13 will be readmitted and entered in the Register in their original numbers. In each case the be noted in column 1.

arrear, etc., and (b) the amount of rent for one year, should be noted in column 10 of the Register of

22, Civil Procedure Code, or of any alteration in the appointment of guardian *ad litem* and also of any

claim of the claim or as to the date or place of cause of action should appear in column 9.

tion in the suit registers within brackets.

executing court should be entered in column 20.

execution should be entered.

Procedure Code, with date and name of Court.

progress of the suits or subsequent proceedings, if any, and not after their final disposal.

FORM No. (R) 2.

Register of Miscellaneous Judicial Cases in the Court of

District.

| Serial No. | Date of application, reference or proceeding. | No. of connected case, if any. | Name of petitioner. | Name of opposite party. | Purport of case and section of law. | Name of objector, if any, and purport of objection. | Purport of final order passed with date. | No. of appeal or revision with result and date. | Remarks. |
|------------|---|--------------------------------|---------------------|-------------------------|-------------------------------------|---|--|---|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | | | | | | | |

Note 1.—In this register should be entered all miscellaneous judicial cases enumerated in rule 865 of the Civil Rules and Orders, Vol. 1, excepting insolvency cases for which a separate register No. (R) 3 has been prescribed.

Note 2.—The name of the principal applicant and the opposite party only need be entered in columns 4 and 5 and of the principal objector, if any, in column 7. When there are more parties than one to a case, the fact may be indicated by the words "and 5 others, 6 others, etc.," as the case may be.

Note 3.—In the matter of reference under the Land Acquisition Act, enter in column 3 the number and date of letter of reference, in column 4 the designation of the officer making the reference, in column 5 the name of the claimant, and in column 6 the section of the Act under which the reference is made as also the amount of compensation tendered or awarded by the Collector and the amount of compensation claimed.

Note 4.—In the case of applications for probate or letters of administration or successor certificate under the Succession Act (XXXIX of 1925), enter in column 4 also the name of the deceased and in column 5 also the date on which the probate or letters of administration or certificate was delivered to the party concerned. The following information should also be noted in the Remarks column :—

- (a) The action taken by the court in cases in which an estate has been found to have been undervalued in the first instance.
- (b) The date of filing of the inventory mentioned in sec. 317 of the Succession Act (XXXIX of 1925).
- (c) The date or dates of the submission of accounts referred to in the same section.
- (d) Value of estates and value of court-fees paid thereon.

Note 5.—In the case of applications in respect of minors and lunatics under Act VIII of 1890 and Act IV of 1912, enter in column 4 also the name of the minor or lunatic and in column 5 also the date of the issue of the certified copy of the order. The following information should also be entered in the Remarks column :—

- (a) The date of filing the inventory mentioned in sec. 34 of Act VIII of 1890 and sec. 70 of Act IV of 1912.
- (b) The date or dates of submission of the accounts referred to in the same sections.
- (c) In regard to Act VIII of 1890, if no inventory or accounts have been required by the court, the fact should be stated.
- (d) The order requiring proof to be furnished within a certain time of the manner of disposal of the sale-proceeds of a minor or lunatic's property should be quoted, and a note made when it has been complied with.
- (e) Value of the estate.

Note 6.—In the case of applications to sue or appeal as a pauper, enter in column 3 the corresponding number of the suit or appeal as the case may be and in the Remarks column the following particulars :—

- (a) Amount of court-fee which would have been paid by the applicant if he had not been permitted to sue or appeal as a pauper.
- (b) Date on which copy of decree was sent to the Collector.

FORM No. (R) 3.

Register of Insolvency Petitions under Act V of 1920 (Provincial Insolvency Act), in the Court of District.....

| | | |
|----|---|-----------|
| 1 | Serial No. | |
| 2 | Date of receipt by institution or transfer. | |
| 3 | Name and description of petitioner (and whether debtor or creditor, and if debtor, whether under arrest or imprisonment or not). | |
| 4 | Name and description of contesting opposite party (and whether debtor or creditor). | |
| 5 | Circumstances under which the petition is presented. | |
| 6 | Whether for summary disposal under sec. 74 or regular procedure. | |
| 7 | Total amount of debts according to petition. | Ba. a. p. |
| 8 | Total amount of proved debts. | Ba. a. p. |
| 9 | Total amount of assets according to petition. | Ba. a. p. |
| 10 | Total amount of assets realised. | Ba. a. p. |
| 11 | Order passed regarding adjudication or dismissal or on petition for withdrawal (if any) with date. | |
| 12 | Time fixed for applying for discharge. | |
| 13 | Date of application for discharge. | |
| 14 | Name of Receiver, if any, and fees paid to him with dates. | |
| 15 | Purpose of order of discharge (whether conditional or absolute) or order of annulment (whether under sec. 35 or sec. 43) with date. | |
| 16 | Dates of dividend and dates of distribution. | |
| 17 | Final order and date. | |
| 18 | No. of appeal or revision with result and date. | |
| 19 | Remarks. | |

FORM No. (R) 4.

**Register of Applications under the Bengal Tenancy Act in the Court of.....,
District.....**

| Serial No. | Date of application. | Name, residence and status of applicant. | Purport of case and section of rule of law under which made. | Date of final order. | Substance of final order. | Remarks.
[The particulars of any order passed on appeal or revision shall be entered in this column (with date of order). Note also each case in which an agreement to pay enhanced rent is executed and filed by a raiyat under sec. 46 (3) of Act VIII of 1885.] |
|------------|----------------------|--|--|----------------------|---------------------------|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
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FORM No. (R) 5.

Register of application for the Execution of Decrees.

| | | | | | | | | | | | | | | | | | | | | | |
|----------------------------|-----------------------|--|---|---|--|--|--|--|-------------------------|--------------------|------------------------------------|------------------|--|-------------------------------|------------------------------------|--|--|---|--|---|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| Serial No. of application. | Date of presentation. | Year of suit and No. in Register of suits. | No. of suit and date and nature of decree and where it has been transferred, the name of the court by which passed. | No. and date of previous application (if any) to the executing court. | Names of persons applying for execution. | Names of persons against whom execution is required. | Amount or other relief, for which execution is sought. | Mode in which assistance of court is required. | Nature and No. of case. | Results with date. | Delivery of property or otherwise. | Amount realized. | Amount or other relief still due under decree. | Date of confirmation of sale. | Date of issue of sale certificate. | Date of sending copy to the Registry office. | Application with date under Or. 21, rr. 95 and 96. | Results of such applications with date. | Date on which execution case was finally disposed of and purpose of final order. | No. of appeal or revision with purpose of order and date. | Remarks. |
| | | | | | | | | | | | | | | | | | | | | | |

Note 1.—Decrees received by transfer from another court for execution should be entered in red ink in column 4.
 Note 2.—The date of sending a certificate of satisfaction or non-satisfaction in the case of decrees received from other courts for execution should be entered in the remarks column.

FORMS Nos. (R) 6(i), (R) 6 (ii), and (R) 6 (iii).

I. Register of Title Appeals.

II. Register of Money Appeals.

III. Register of Rent Appeals.

In the Court of the District Judge of.....

Register of Appeals from Decrees in the year 19 ..

| Date of memorandum. | No. of appeal. | Appellant. | | | Respondent. | | | Decree appealed from. | | | | | | Appearance. | | | Judgment. | | | Remarks.

[The number of applications for review or of second appeal or revision with purport of order and date shall be entered in this column.] | |
|---------------------|----------------|------------|--------------|---------------------|-------------|--------------|---------------------|-----------------------|--------------------------|--------------|----------------------------|----------|----------|-------------------|----------------------------|------------|-------------|-------|---------|---|----------------------|
| | | Name. | Description. | Place of residence. | Name. | Description. | Place of residence. | Of what court. | Number of original suit. | Particulars. | Amount or value of relief— | Claimed. | Decreed. | Appealed against. | Day for parties to appear. | Appellant. | Respondent. | Date. | Result. | | For what, or amount. |
| 1 | 21 | | | | | | | | | | | | | | | | | | | | |

Note 1.—Where there are numerous appellants or numerous respondents, the name of the first appellant only, or the first respondent only, as the case may be, need be entered in the register, the words "and 3 others, 4 others, etc.," as the case may be, being added to indicate the number of parties when more than one party is concerned.

Note 2.—In column 16 shall be entered the first date of hearing of the appeal and in columns 16 and 17 the names of the pleader or advocates of the parties.

Note 3.—In the case of appeals transferred to the courts of Additional District Judges and Subordinate Judges for disposal, the particulars required for columns 18 to 20 should be filled in the District Judge's office after the return of the record from those courts.

Note 4.—When an appeal is remanded, reviewed or revived it should be re-entered in this register.

Note 5.—The date of sending copies of judgment and decree to the lower court shall be entered in the remarks column.

FORMS Nos. (R) 7(i), 7(ii), 7 (iii) and 7 (iv).

- I. Supplementary Register of Title Appeals.**
- II. Supplementary Register of Money Appeals.**
- III. Supplementary Register of Rent Appeals.**
- IV. Supplementary Register of Miscellaneous Appeals.**

| Serial No.
● | No. of the
appeal in
the
District
Judge's
Register. | Names of
parties. | Date of receipt
in the Addi-
tional Judge's
or the Sub-
ordinate
Judge's
Court. | Date of
disposal. | Result of
appeal. | Date of
return to
District
Judge's
office. | Remarks. |
|-----------------|--|----------------------|---|----------------------|----------------------|--|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | | | | | |

Note 1.—In column 3, the name of the 1st appellant, and of the 1st respondent only need be entered as also the names of their respective pleaders or advocates. When there are other appellants and respondents, the fact may be indicated by the words "and 3 others or 4 others, etc.," as the case may be.

Note 2.—The date of sending copies of judgment and decree to the lower court should be entered in the remarks column.

Note 3.—No. of application for Review with result and date should be noted in the remarks column.

| 1 | 2 | 3 | 4 | Order appealed from. | | | | Judgment in appeal. | | 11 |
|---|---|---|---|-------------------------------|-------------------------------------|----------------|-----------------------|---------------------|---------|--|
| | | | | 5 | 6 | 7 | 8 | 9 | 10 | |
| | | | | Court which passed the order. | No. and year of suit or proceeding. | Date of order. | Particulars of order. | Date. | Result. | Remarks. |
| | | | | | | | | | | [The No. of second appeal or revision with result and date shall be entered in this column.] |

Note 2.—The names of the pleaders, or advocates of the parties should also be entered in columns 3 and 4.

FORM No. (R) 9.[illegible]

Notes.—This register is for use by Courts of Small Causes proper, and not by Subordinate Judges and Munsifs vested with Small Cause Court powers.

FORM No. (R) 10.**Small Cause Sheet.**

Small Cause Court of.

Suit No.....of 19....

| | | |
|---|-----------|-------------------------------|
| Date of filing.....No. in Register..... | | Names of plaintiffs. |
| Date of cause of action.....
(according to Gregorian Calendar) | | |
| Claim— | Rs. a. p. | Names of defendants. |
| Principal .. | | |
| Interest .. | | |
| Total .. | | |
| Costs— | | Particulars of claim. |
| Amount of court-fees of all sorts
incurred by plaintiff/defendant .. | | |
| Other costs (if any) | | |
| Pleader's fee | | |
| Total .. | | Substance of defence, if any. |
| Nature of service. | | |

Substance of evidence.

FORM No. R (10).*(Reverse page.)*

Judgment or Order.

| | | |
|-----------------------|------|---|
| Decree. | | Subsequent proceedings, if any, under Or. 9, rr. 4, 9, 13 ;
Or. 47, etc. |
| Rs. a. p. | | |
| Amount .. | .... |  |
| Costs .. | .... |  |
| Total .. | | |
| By whom payable | | |
| To whom payable | | |

Note.—If more space is required for any purpose, an additional sheet of foolscap paper appended to this form should be used and pasted each page being signed by the Judge.

FORM No. (R) 11.**Index to Wills.**

| Name of testator. | Residence,
etc. | No. and
year of
register. | Page. | Date of
removal and
return. | Note showing
whether Probate
or Letters of
Administration
have been
granted. |
|-------------------|--------------------|---------------------------------|-------|-----------------------------------|---|
| | | | | | |

Note.—Whenever an original Will is removed from the custody of the officer responsible for it, a note of the dates of despatch and return should be made in the last column of this Register, and the same particulars, with the place of removal, should be noted on the envelope in which the Wills are kept, this envelope being retained in its place.

FORM No. (R) 12.

Diary.

Date

Day

Attended office at...a.m.

Took seat for judicial work at..a.m.

District Judge.

Subordinate Judge.

Munsif.

Petitions Nos.

to

received.

The following cases fixed for the day were then dealt with in the manner indicated in columns 2 and 3 :—

[To be maintained in all Civil Courts and to be preserved for three years.]

| 1 | 2 | 3 | 4 | |
|---|-------------------------|--------------------------|--------------------------------|--------------|
| Class and No. of suits, appeals, cases, etc., under headings showing purpose for which fixed. | Purport of proceedings. | Date to which adjourned. | Number of witnesses examined.* | |
| | | | After full trial. | Uncontested. |
| | | | | |
| | | | | |

Notes 1.—As to how entries are to be made in the Diary, see, rule 12, Chapter 1, Civil Rules and Orders, Volume I.

Note 2.—A running total in red ink should be inserted, from day to day, in order to show the total number of witnesses examined during each quarter of the year, a new serial number for them being started at the beginning of each quarter [Rule 12 (7) of Chapter 1, Civil Rules and Orders, Volume 1].

Notes 3.—The hours entered as those on the sitting and rising of the Court should be those between which the Judge was actually sitting on the Bench for judicial work and those spent in administrative or other work should be noted separately.

Hours of attendance, rising, etc.,
hour of sitting or rising, if unusually late or early on any day,
explaining the reasons for such late or short sitting.

**Judge with his own hand and the
accompanied by a short note.**

FORM No. (R) 12.*(Reverse page.)***Diary.**

| 1
Class and No. of
suits, appeals, cases,
etc., under headings
showing purpose for
which fixed. | 2
Purport of
proceedings. | 3
Date to
which
adjourned. | 4
Number of witnesses
examined. | |
|--|---------------------------------|-------------------------------------|---------------------------------------|--------------|
| | | | After full
trial. | Uncontested. |
| | | | | |

Did administrative and other work between.....p.m.Rose at.....p.m.*Judge.*

FORM No. (R) 12-A.

Filing Register.

| Filing No. | Date of filing. | Names of first plaintiff and first defendant. | Name of pleader/advocate. | Date of registration. | No. in the Register of Suits. | Remarks. |
|------------|-----------------|---|---------------------------|-----------------------|-------------------------------|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |

Notes 1.—All plaints must be entered in this register on the day they are filed, in the order in which they are received, except that entry of plaints filed on the *tamadi* day shall not ordinarily take longer than four days and if necessary, special arrangements shall be made for registration within the quickest possible time.

Notes 2.—A new serial may be started every year at *tamadi* time from the commencement of the Bengali year.

Notes 3.—As to plaints, clerical labour may be saved and the numbers assigned to and the first dates fixed for the suits with their purpose promptly notified under rule 57 Civil Rules and Orders, Vol. I, by making necessary entries in columns 6 and 7 (after suitable modifications) and laying this Register at some conspicuous place in the Court room at the prescribed hour for inspection by parties and pleaders instead of making entries in the list mentioned in rule 57 *ibid* (See Note 4(b) to rule 57, Civil Rules and Orders, Vol. I).

FORM No. (R) 13.

Daily Register of Petitions, etc., and Court-fees in the Court of.

| Date. | Serial No. | No. of case, if any, to which petition relates. | Nature of document. If a petition, what for. | Process-fees. | Affidavit fees. | Boat-hire fees. | All other fees. | Total. | Remarks. |
|-------|------------|---|--|---------------|-----------------|-----------------|-----------------|--------|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | | Rs. a. | Rs. a. | Rs. a. | Rs. a. | Rs. a. | |
| | | | | | | | | | |

Notes 1.—In column 4 for stating nature of document use *P* for petitions, *Pi* for plaints, *E. P.* for Execution petitions, *O. P.* for Original petitions, *A* for appeals, *A* for affidavits, *V* for vakalatnamas, etc. A separate register is maintained in the copying department, court-fees for certified copies need not be entered. The entries in columns 5, 6, 7 and 8 are to be totalled and initialled daily by the presiding Judge and daily totals are to be added up and entered in column 9. They are to be added up monthly and the total is to be carried forward to the next month and so on.

Notes 2.—Petitions, etc., returned should be noted in the remarks column with date.

FORM No. (R) 14.

**Register of Processes served by the Establishment under the Nazir of the Court
of.....District.**

| | |
|----|--|
| 1 | Serial No. of process. |
| 2 | Court from which process is issued. |
| 3 | No. and year of case and class of case. |
| 4 | Nature of process. |
| 5 | Number of duplicate processes accompanying the original. |
| 6 | Within five miles. |
| 7 | Beyond five miles. |
| 8 | Place and distance from Court. |
| 9 | Processes. |
| 10 | Process-fee. |
| 11 | Date of receipt by Nadr. |
| 12 | Date of delivery to peon. |
| 13 | Name of peon. |
| 14 | Date when returnable. |
| 15 | Date of actual service. |
| 16 | Date of return to Nadr. |
| 17 | Date when sent to office concerned. |
| 18 | Signature of clerk receiving with date. |
| 19 | Remarks. |

Note 1.—Number of emergent processes should be noted in the remarks column.

Note 2.—Processes received from outside the jurisdiction of the Nazarat should be entered in red ink (See Note 2 to rule 101, Civil Rules and Orders, Vol. I).

FORM No. (R) 15.

Register of Service of Summons on witnesses by the parties under Or. 16, r. 7-A
In the Court of.....

[illegible]

FORM No. (R) 16.

Register of process-serving peons.

| Serial No. | Name of peon. | Age of peon at date of appointment. | Place of abode. | Father's name. | Date of appointment. | Signature of Nazir. | Signature of Judge in charge. | Salary, or for occasional employment. | Remarks. |
|------------|---------------|-------------------------------------|-----------------|----------------|----------------------|---------------------|-------------------------------|---------------------------------------|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | | | | | | | |

FORM No. (R) 17.

Process-serving peons' Diary.

| 1 | Date of journey. |
|----|--|
| 2 | From. |
| 3 | To. |
| 4 | Distance in miles. |
| 5 | How travelled (on foot, by rail, bus, boat, steamer, etc.). |
| 6 | Nature of processes to be served. |
| 7 | Number of processes to be served. |
| 8 | Original. |
| 9 | Duplicate. |
| 10 | How served. |
| 11 | Un-served. |
| 12 | Date on which returnable. |
| 13 | Date on which served. |
| 14 | Amount realised. |
| 15 | Signatures of two well-known residents of each village visited by the peon or of the <i>daradar</i> or <i>chowkidar</i> if available, with date. |
| 16 | Remarks. |

Notes 1.—Memorandum of business done and distance travelled daily must be recorded daily. If a journey is completed partly on foot and partly by rail and other conveyance, particulars of the different stages of the journey and the distance travelled by each mode should be entered in columns 1 to 5.

Notes 2.—Halts and the reasons for them and names of places where the night is spent should be noted in the remarks column.

Notes 3.—This diary must be made over to the Nazir simultaneously with the processes immediately after the peon's return to headquarters from the mufassil. (See Note 4 to Rule 115, Civil Rules and Orders Vol. I).

Register of Works done by process-serving peons for the month of.....

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Note 1.—In column 27 should be noted separately the number of process for (1) attachment of movables, (2) delivery of possession, (3) warrant of arrest and (4) other original processes made over to each person up to the preceding month of the year and also such processes made over during the month.

Note 2.—A copy of this statement shall be forwarded to the District Judge every month (*See* Rule 999, Civil Rules and Orders, Vol. IV).

FORM No. (R) 18-A.

Register of processes distributed for the month of

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
|-----------------------|-------------------------|---------------|--|---|--------------------------------|--|--------------------------------|---------------------------|----------------------------|--------------------------------------|---------------------------|------------------|------------------------|--|--|
| Date of distribution. | Name of beat or circle. | Name of peon. | Nature of processes. | Number left undistributed on the last date. | Number issued out of column 6. | Number received since last distribution. | Number issued out of column 7. | Total of columns 6 and 8. | Number left undistributed. | Number actually served and returned. | Number returned unserved. | Returnable date. | Date of actual return. | Brief note by Ward regarding cases of delay, overstay, non-service, misconduct, etc. | Order of Judge in charge and action taken. |
| | | | Summons and notices ..
Injunctions and attachments before judgment ..
Writs for delivery of possession ..
Attachment of movables ..
Sale proclamations ..
Warrants of arrest ..
Other processes ..
Total .. | | | | | | | | | | | | |

NOTE 1.—A register should be maintained in this form with a sufficient number of pages for each beat or circle.

NOTE 2.—On each date of distribution the number of processes of each kind left undistributed on the previous date should be carried in column 5.

FORM No. (R) 19.**Register of Instruments Impounded and Stamp Duty and Penalties realised
in the Court of**

| Serial No. | No. and year of suit, appeal or petition and name of court impounding. | Nature and date of instrument impounded. | Value of stamp, if any, on which the instrument was written. | Name and residence of person by whom produced. | Stamp duty. | Penalty. | Date on which impounded. | Date of collection. | No. of chalan. | Date of remittance to the Treasury and No. and date of Treasury receipt. | Date of sending copy of instrument to the Collector. | Remarks. |
|------------|--|--|--|--|-------------|-----------|--------------------------|---------------------|----------------|--|--|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| | | | Rs. a. p. | | Rs. a. p. | Rs. a. p. | | | | | | |

Note 1.—A certificate in a loose form of this register should be sent to the Collector under section 88 of the Stamp Act.

Note 2.—Whenever penalty is paid by a person other than the person who produced the instrument, enter in column 3 the name of the payer also.

FORM No. (R) 20.**Register of securities, jewellery, or other valuable articles in the custody of
the Nazir of**

| Serial No. | Date of receipt. | No. and description of connected suit or proceeding and name of Court. | Details of securities, jewellery or other valuable articles deposited. | Signature of the court concerned at foot of list. | Where kept and on what conditions. | Signature of the Nazir. | How dealt with. | | | Signature of the person to whom returned with date. | Remarks. |
|------------|------------------|--|--|---|------------------------------------|-------------------------|-----------------------------|--------------------------|--------------------------------|---|----------|
| | | | | | | | Sold or released with date. | Amount of sale-proceeds. | Otherwise dealt with and date. | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | | | | | | | | | | | |

Note 1.—The register shall be examined from time to time by the Judge in charge and the fact of such examination having been made together with instructions or remarks as may appear necessary shall be entered by him.

Note 2.—The serial number given in the register should be written on a ticket and attached to the article.

FORM No. (R) 21.

Bank's Register of ordinary movables and live-stock attached.

| Serial No. | No. of sub/execution case in which attached. | Name of Court. | Name of person at whose instance attached. | Description of property attached with serial No. and approximate value. | Date of attachment. | Name of attaching officer. | Date of receipt in Maltbana. If not there, where kept and on what conditions? | Court's orders affecting it prior to release or sale. | How dealt with. | | | Signature of person to whom returned with date. | Remarks. |
|------------|--|----------------|--|---|---------------------|----------------------------|---|---|-----------------------------|--------------------------|--------------------------------|---|----------|
| | | | | | | | | | Sold or released with date. | Amount of sale-proceeds. | Otherwise dealt with and date. | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| | | | | | | | | | | | | | |

Note 1.—The register shall be examined from time to time by the Judge in charge and the fact of such examination having been made together with such instructions or remarks as may appear necessary, shall be entered by him.

Note 2.—When articles which admit of ticketting are kept in court, the serial No. given in the register should be written on a ticket and attached to the articles.

FORM No. (R) 22 (i) AND (R) 22 (ii).

Register of decrees received from and sent to other Courts for execution under Sections 38 and 39, C. P. Code.

PART I.

(Decrees received for execution.)

| Date of receipt. | Serial No. | No. and class of suit. | Date of decree. | Names of parties. | Court from which received. | Date of application for execution to this Court (if any). | No. of connected execution case, if any. | Date of returning decree when no execution applied for. | Nature and date of communication to the decreeing Court (vide sec. 41, C. P. Code). | Remarks. |
|------------------|------------|------------------------|-----------------|-------------------|----------------------------|---|--|---|---|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| | | | | | | | | | | |

PART II.

(Decrees transferred for execution.)

| Date of transmission. | Serial No. | No. and class of suit. | Date of decree. | Names of parties. | Court to which sent. | Date of receiving back decree when no execution was applied for in the court to which sent. | Date of receipt of certificate under sec. 41, C. P. Code. | Remarks. |
|-----------------------|------------|------------------------|-----------------|-------------------|----------------------|---|---|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | | | | | | | | |

FORM No. (R) 23.

Register of Applications for copies of documents.

| Serial No. | Date of application. | Name of applicant. | Description of paper to be copied and No. of case, if any, in which filed. | Whether certified or uncertified. | Date on which— | | | | | | | Filed with application/ Filed afterwards. | | | Given to Cops etc. | | Copy ready. | | | | | | Other charges incurred. | | | | Date on which original was returned with initial of receiving clerk. | Date of making over copy and unused stamps to applicant. | Signature of person receiving the copy with number of unused stamp sheets and stamps at 4 annas and value of other stamps returned. | If rejected, date with reason in brief. | Remarks. |
|------------|----------------------|--------------------|--|-----------------------------------|---|--|---|---|--------------------------|---|------------------------------------|---|------------------------------------|---------------------------------------|------------------------------------|---------------------------------------|-------------|---------|----------------------------|-------------------------------|----------------|----|-------------------------|----|----|----|--|--|---|---|----------|
| | | | | | Application sent to the record room or office concerned for estimate of folios. | Application received back with estimate. | Number of folios and stamps required were notified. | Irregular stamp sheets and stamps were filed. | Originals were sent for. | Originals were received for being copied. | Number of stamp sheets of 4 annas. | Number of adhesive stamps of 4 annas. | Number of stamp sheets of 4 annas. | Number of adhesive stamps of 4 annas. | Number of stamp sheets of 4 annas. | Number of adhesive stamps of 4 annas. | Used. | Unused. | Extra fee for urgent copy. | Court-fee for certified copy. | Searching fee. | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

- Notes 1.**—The date to be entered in column 2 is the date of receipt of application in the copying department.

Notes 2.—In the column for remarks should be noted any copies which, though originally applied for and granted as "uncertified," are subsequently converted into "certified" copies. Searching fees should also be shown in column 8 of the daily Register of Court-fees realized (R) 13] and treated as fees payable under Schedule II, Act VII of 1870.

Notes 3.—Applications for copies of or for inspection of. Wills or the Register of Wills, should be entered in this register.

Notes 4.—In column 12 to 14 put an asterisk against the items filed with the application.

Notes 5.—When additional stamps are called for and deposited, make additional entries in columns 12 to 14 putting A against them and also corresponding entries in columns 8 and 9.

Notes 6.—In typewritten copies (English and Vernacular) one stamped sheet should contain 300 words. (i.e., 2 folios).

Notes 7.—In English manuscript copies one stamped sheet should contain 150 words (i.e., 1 folio).

Notes 8.—In vernacular manuscript copies one stamped sheet should contain 200 words (i.e., 1 folio).

Notes 9.—Entries in the several columns of this register shall be made contemporaneously with the various stages through which an application passes.

Notes 10.—(a) This register shall be examined from time to time by the Judge in charge and the fact of such examination having been made together with such instructions or remarks as may appear necessary, shall be entered by him.

Form No. (R) 24.

Register of application for information.

| 1
No. | 2
Date of application. | 3
Name. | 4
Nature of information required and No. of case, if any, to which it relates. | Date when information— | | 7
Ordinary searching fee paid in court-fee stamp. | 8
Extra searching fee paid in court-fee stamp. | 9
Total of columns 7 and 8. | 10
Signature of the officer receiving the application with date. | 11
If application rejected, date with reason in brief. | 12
Remarks. | |
|----------|---------------------------|------------|---|------------------------|--|--|---|--------------------------------|---|---|----------------|--|
| | | | | 5
Is ready. | 6
Is supplied with initial of person to whom delivered. | | | | | | | |
| | | | | | | Rs. | a. | p. | Rs. | a. | p. | |

Note.—This register shall be examined from time to time by the presiding Judge or the Judge in charge as the case may be and the fact of such examination having been made together with such instruction or remarks as may appear necessary, shall be entered by him.

FORM No. (R) 25.

Register of inspection of records in the Court/Record Room of

| 1
Serial No. and Date. | 2
Name of applicant. | 3
No. of the case of which the record is wanted. | 4
Searching fee paid in court-fee stamp. | 5
Date on which inspected. | 6
Remarks. |
|---------------------------|-------------------------|---|---|-------------------------------|---------------|
| | | | Rs. | a. | p. |

FORM No. (R) 26.

Register of information to parties about stamps and stamp sheets necessary for copies applied for.

(To be laid at some conspicuous place for inspection by parties.)

NOTICE—Applicants are informed that if stamp sheets and stamps specified in columns 5, 6, 7, 8 and 9 are not supplied within three days of the date given in column 1, their applications will be rejected.

[illegible]

Note.—The Judge in charge shall put his signature below the last entry for each day.

FORM No. (R) 27.

Register of copies and information ready for delivery.

(To be laid at some conspicuous place for information of party.)

| Date of entry in this register. | Name of applicant. | No. of the application. | Remarks. |
|---------------------------------|--------------------|-------------------------|----------|
| 1 | 2 | 3 | 4 |
| | | | |

Note 1.—The Judge in charge shall put his signature below the last entry for each day.

Note 2.—In column 3 use *I* for information and *C* for copy.

FORM No. (R) 28.**Register of requisitions of document from the Copying Department.**

| Serial No. | Date and hour of receipt of application in the record room or office concerned. | Serial No. of application for copy. | Description of record or document. | Date and hour of return of application containing estimate of folios with initial of estimating clerk. | Date and hour of receipt of requisition for originals from copying department. | Date and hour of sending original to copying department with initial of the receiving clerk. | Date of return of original with initial of the clerk receiving back the document. | Date of restoration of the document or record to its place with initial of the clerk replacing. | Remarks |
|------------|---|-------------------------------------|------------------------------------|--|--|--|---|---|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | | | | | | | |

Note.—If the application is rejected or otherwise disposed of, a note to that effect with date shall be entered in the remarks column against the particular entry.

FORM No. (R) 29.**Register of records issued from the Record Room/Court of**

| Serial No. | Date of receipt of requisition. | Record-keeper's/Court's No. and date on the requisition. | Name of the court or office requisitioning the record or document and No. and date of requisition. | Nature, year and No. of case. | Names of parties. | Description of record or document. | Date of removal of the record with initial of the clerk who removed it. | Date of compliance, or (in the case of defective requisition) of return with initial of Record-keeper or the clerk in charge. | Date of return of record from court or office. | Date of restoration of record to its proper place with initial of the officer replacing it. | Remarks. |
|------------|---------------------------------|--|--|-------------------------------|-------------------|------------------------------------|---|---|--|---|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | | | | | | | | | | | |

Note. 1.—Reminders issued with dates should be noted in the remarks column.

Note. 2.—A register in this form shall be maintained in the office of every court.

FORM No. (R) 29-A.

**Register of records or documents received from the record room or courts and
offices in the Court of**

| Serial
No. | Date on
which requisition sent
and No. of
requisition. | Number of
case, if any,
in which the
record or
document is
called for. | Name of
court or
office to
which requisition sent. | Description
of record or
document
requisitioned. | Date of
receipt of
record or
document
with initial
of officer
receiving. | Date of
returning
record or
document
with initial
of officer
returning. | Remarks. |
|---------------|---|---|---|---|--|---|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | | | | | |

Note 1.—Records or documents received from the District record room or any court or office shall be returned as soon as the matter in connection with which they were called for are disposed of.

Note 2.—The register shall from time to time be examined by the presiding Judge in order to see that records which are no longer required have been returned without any delay and the fact of such examination having been made together with such instructions or remarks as may appear necessary, shall be entered by him.

Note 3.—Reminders received for records shall be noted with their dates in the remarks column.

FORM No. (R) 30.

Register of applications for return of documents.

| Serial
No. | Date of
application. | Name of
applicant and his
connexion
with the
case. | No. and
year of the
connected
case in
which the
document
was filed. | Nature of
document
and
whether
produced
by appli-
cant. | Court's
order with
date (grant-
ing or re-
jecting the
application). | Signature
of party
or pleader
receiving
document
with date. | Whether
certified
copy was
substituted
for the
original
under Or.
13, r. 9. | Remarks. |
|---------------|-------------------------|--|---|---|---|--|--|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | | | | | | | | |

Notes.—If the application is rejected the reason in brief should be noted in the remarks column.

FORM No. (R) 31.**Register of Draft Sale Certificates and Applications for Sale Certificates.**

| Serial No. of draft. | No. and year of con-
nected case. | Name of purchaser. | Date of confirmation. | Date of preparation of
draft. | Date of application for
certificate. | Name of applicant and
pleader, if any. | Value of non-judicial
stamp presented with
date. | Amount of sale. | When ready. | When copy sent to
Registry office. | Signature of person
dating delivery with
date. | If application rejected,
date and reason. | Remarks. |
|----------------------|--------------------------------------|--------------------|-----------------------|----------------------------------|---|---|--|-----------------|-------------|---------------------------------------|--|--|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| | | | | | | | Rs. a. p. | Rs. a. p. | | | | | |

Note 1.—If the sale is set aside, the fact should be noted in the remarks column with date and No. of miscellaneous judicial case.

Note 2.—Sale certificates ready for delivery shall be notified by making necessary entries in Form No. (M) 5 with suitable modifications (*See* Note 2 to rule No. 250, Civil Rules and Orders, Vol. I).

FORM No. (R) 32.**List of Records of class suits/appeals/cases sent to the District Record-room
from the Court of**

| Serial
number
of record
accord-
ing to
date of
disposal. | No. of
case in
court's
regis-
ter. | Descrip-
tion of
case and
class
under
Record
Rules. | Names
of parties. | Date of
decision. | Files (A,
B, C, D or
E) of
which the
record
consists. | Date when
disposed
of and
shelved in
the Dis-
trict
record
room. | No. of
shelf and
rack in
the Dis-
trict
record
room. | Date of destruc-
tion of
files and
initials of
officer
superin-
tending
destruc-
tion. | Re-
marks. |
|--|--|---|----------------------|----------------------|--|---|--|--|---------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | | | | | | | |

Serial No.

Date of despatch.

Signature of Officer of despatching Court.

Date of receipt.

Signature of District Record-Keeper.

Date on which due.

Date when examined.

Number of records received.

Notes.—Each list is to be prepared in duplicate by means of clean carbon paper, the duplicate copy being retained by the issuing court for one year from the date of despatch, after it is returned by the Record-keeper with his signature in acknowledgment of receipt.

FORM No. (R) 33.**List of Registers to be permanently preserved.**

(To be sent by subordinate Courts to the District Record-room when forwarding Registers to be permanently preserved.)

| Serial No. | From whom received. | Name and No. of register. | Period to which it refers. | No. of entries in each volume. | Date received in record room and initial of Record-keeper. | Room, rack, and shelf No. | Remarks. |
|------------|---------------------|---------------------------|----------------------------|--------------------------------|--|---------------------------|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | | | | | |

Serial No.

Date on which due.

Date of despatch.

Signature of Officer of despatching Court.

Date of receipt.

Signature of District Record-Keeper.

FORM No. (R) 34.**Register of Commissions issued in the Court of.....District.....**

| Serial No. for the year. | No. and year of case. | Name of party applying and whether plaintiff or defendant. | Date of order allowing the application. | Nature of commission and section of law under which issued. | Court addressed or name and employment of person appointed. | Number of witnesses to be examined. | Place where commission is to be executed and distance from Court. | Costs deposited with dates. | Costs allowed and expenditure incurred in executing. | | Time occupied in executing the commission in days. | Date of issue of commission. | Original date fixed for return. | Extensions of time, if any, with dates. | Date of actual return. | Whether or not executed. If not, reason in brief. | Manner of performance of work. | Remarks. |
|--------------------------|-----------------------|--|---|---|---|-------------------------------------|---|-----------------------------|--|---------------------------------|--|------------------------------|---------------------------------|---|------------------------|---|--------------------------------|----------|
| | | | | | | | | | Fees paid with dates. | Other expenses paid with dates. | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| | | | | | | | | | Rs. a. p. | Rs. a. p. | | | | | | | | |

Note.—A statement in this form should be submitted half-yearly by the subordinate courts to the District Judge showing all commissions issued and received during the period.

Instructions.

1. All kinds of commission issued should be entered in this register.
2. Commissions received from other courts for execution should also be entered in this register in red ink with the name of the court from which received written in column 2 and the date of receipt in column 4. The date on which the commission is returned to the issuing court should be noted in the remarks column.
3. In column 5 enter *A* for Accounts, *P* for partition, *S* for Survey and local investigation, *W* for examination of witnesses, *M* for meane profits, etc.
4. All instances of dilatoriness or unsatisfactory work or any adverse remarks regarding a commissioner's work or conduct in the court's judgment or order should be noted in column 18.
5. This register shall from time to time be examined by the presiding Judge and the fact of such examination having been made together with such instructions or remarks as may appear necessary, shall be entered by him.

5

Note 2.—The names of not more than two practitioners should be entered in one page of this register, and as each renews his certificate from year to year, the date of such renewal and the value of the stamp duly paid by him should be entered on the same page against his name.

FORM No. (R) 36.

Note 2.—Not more than two or three names should be entered on each page of the register and as each renews his card from year to year, the date of such renewal should be entered on the same page in column 5.

FORM No. (R) 37.

Register showing Processes, Process-fee and other costs due for information of parties in the Court of.....

| Date of entry in this register. | Class and No. of cases. | Amount of process-fee due. | Processes due. | Other costs due, e.g., commissioner's fee, witness's expense, postage, etc., due. | Landlord's transfer fee, costs of transmission, etc., due. | Latest date for filing. |
|---------------------------------|-------------------------|----------------------------|----------------|---|--|-------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | Rs. a. | | Rs. a. | Rs. a. | |

Note 1.—This register is to contain information regarding all classes of suits and proceedings including appeals and shall be written up daily by the clerks concerned. It shall be laid at some conspicuous place in the court room every day between the hours of 1 and 5 p.m. (or 8 and 11 a.m. in the case of morning sitting). The presiding Judge shall put his dated signature below the last entry for each day.

Note 2.—In column 5 use C for costs of commission, D for dist money, P for postage, etc.

FORM No. (R) 38.

Register of applications for payment-order.

| Serial No. | Name of applicant. | No. and year of the connected case and name of court. | Date of application. | Amount. | Date of sending to the Accountant for audit, when necessary. | Date of return by the Accountant. | When sent to the record room. | | | | Date of audit by the chief ministerial officer. | Date when sent to the Accountant. | Date when payment order passed, or rejected, with reason in brief. | Date of Accountant's making it over to the party. | Remarks. |
|------------|--------------------|---|----------------------|-----------|--|-----------------------------------|------------------------------------|---|---|--------------------------------|---|-----------------------------------|--|---|----------|
| | | | | | | | Date when sent to the record room. | Date of receipt in the record room with initial of Record-keeper. | Date of return by the Record-keeper with his initial. | Date of receipt in the office. | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| | | | | Rs. a. p. | | | | | | | | | | | |

Note 1.—This register should be kept by every Sheristadar and the Record-keeper. The Record-keeper will be required only to fill up columns 1 to 4 and 9 and 10. For further instructions, see rule 778(3), Civil Rules and Orders, Vol. I.

Note 2.—The register shall be examined by the presiding Judge or the Judge in charge of the record room as the case may be, from time to time with a view to satisfy himself that payment orders are being passed and issued promptly and the fact of such examination having been made, together with such instructions or remarks as may appear necessary, shall be entered by him.

Pending List.

Year_____

Note 1.—This register shall be frequently laid before the presiding Judge for his examination and at least once a week on every Monday and the fact of such examinations having been made together with such instructions or remarks as may appear necessary shall be entered by him.

Note 2.—All arrears of work in the office at the end of the preceding week regarding entries in the various registers, noting of result of suits and execution cases, writing of table of contents, drawing up of decrees, return of documents, periodical despatch of records, preparation and delivery of payment orders, succession certificates, probates or letters of administration, sale certificates, copies, intimations, etc., etc., should also be briefly noted in columns 5 and 6 of this register. [See rule 1035.]

Register of Receipts and Issue of Printed Forms.

(For use in the Civil Courts in Bengal.)

Description of Form.

Number

Department

Name

| 1 | Date. |
|----|---------------------------------------|
| 2 | From whom received or to whom issued. |
| 3 | No. of copies received. |
| 4 | Number issued. |
| 5 | Balance. |
| 6 | Signature of receiver. |
| 7 | Date. |
| 8 | From whom received or to whom issued. |
| 9 | No. of copies received. |
| 10 | Number issued. |
| 11 | Balance. |
| 12 | Signature of receiver. |

Note 1.—In order to preserve uniformity of arrangement, forms should be entered in this register in the order in which they are shown in the printed forms of indent. A page index should be prefixed to each volume, the printed "description of form" in the annual indent being conveniently pasted at the commencement of the volume, with the page numbers upon which each form will be found, shown against each entry.

Notes 2.—The balance should be struck after each transaction and the balance on the 30th June and 31st December of each year shall be verified by counting all the forms and a note of verification made in the remarks column on each page of the stock book.

Note 3.—Receipts in red ink and issues in black ink.

Notes 4.—The "forms year" differs for different classes of form. It is shown in Appendix F, *Special Forms Manual*, an abstract of which (for the forms in use) should be kept pasted on a card in the Forms Room.

Note 5.—Running annual totals of receipts and issues to be kept. This facilitates the preparation of indent, showing at once the annual consumption.

Notes 6.—The balances to be checked periodically by the Judge in charge and the fact of such examination having been made together with such instructions or remarks as may appear necessary shall be entered by him.

Column 6.—This, in the case of forms received on indent, will be the signature of the officer in charge of forms; in the case of forms issued for use, it will be the signature of the officer to whom the forms are made over.

(For use in the Civil Courts in Assam.)

No. of Shelf**Name of Form**

| Date. | Number received or issued. | Balance. | Signature of officer to whom issued. | Date. | Number received or issued. | Balance. | Signature of officer to whom issued. |
|-------|----------------------------|----------|--------------------------------------|-------|----------------------------|----------|--------------------------------------|
| 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 |
| | | | | | | | |

Column 4.—This, in case of forms received on indent, will be the signature of the officer in charge of forms; in the case of forms issued for use, it will be the signature of the officer to whom the forms are made over or issued.

FORM No. (R) 39A.

Register of articles of Stationery received or issued

[illegible]

Note 1.—Columns 4 to 29 are left blank to be filled in with names of articles received and issued.

Note 2.—The opening and closing balances will be struck monthly by the clerk in charge of the records which will be initialed by the presiding officer.

received or issued.[illegible]

stationery articles. The stock of stationery will be verified half-yearly and a certificate to this effect

FORM No. (R) 40(I).**Register of Furniture and Stores.****Form I.***(Showing receipt and issue of new articles).***Receipts.****Issues.**

| Serial No. | Number of articles. | Description. | Date received. | Value. | Court to which issued. | Date of issue. | Page in Form III. | Serial No. | Number of articles. |
|-------------------------|---------------------|--------------|----------------|-----------|------------------------|----------------|-------------------|------------|---------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | | Rs. a. p. | | | | | |
| Total purchase for year | | | | | | | | | |

Note 1.—If any articles are not "issued" but kept by Nazir, they should be entered in Form III in a special list kept to show stock actually with Nazir and the Officer-in-charge of the Nazarat will initial Form I for them.

Note 2.—Vouchers of purchase will bear the serial numbers as in this form and be kept serially in a separate file till after audit.

Note 3.—A register should be maintained in this form, a new series of serials being used each year. The total purchase for the year should be struck.

FORM No. (R) 40(II).**Form II.***(Showing disposal of articles written off or sold.)*

| Serial No. | No. | Description. | Date. | Received from— | Page Form III. | Value realised. | Chalan No. and date or order of writing off. |
|-------------------|-----|--------------|-------|----------------|----------------|-----------------|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | | | | Rs. a. p. | |
| Total realised .. | | | | | | Rs. a. p. | |

Note 1.—All articles written off or sold to be entered here. Damaged worthless articles must be entered, value realised being shown as nil. There must be a written order of a responsible officer for the disposal or writing off of each article. These will be numbered and kept in a separate file.

Note 2.—A register should be maintained in this form, with a fresh series for each year. Orders and chalans will be kept till audit.

Note 3.—The total realised by sale yearly should be struck.

FORM No. (R) 40(III).**Form III.**

| Page 1.
(Name of court.)
Description. | Number in stock
on the first day
of the year. | Received (number
of articles). | Serial No. in
Form I, column
9. | Initials of officer. | Written off.
(Number of
articles.) | Serial No. in
Form II, column
1. | Initials of officer. | Stock on the first
day of the next
year. | Remarks. |
|---|---|-----------------------------------|---------------------------------------|----------------------|--|--|----------------------|--|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | Initials
of
officer. | | | | | | | Initials
of
officer. | |

Note 1.—This should show the actual stock in any one court or office at any time. Stock must be checked once a year and initialled by the head ministerial officer of the court or office concerned. A register should be maintained in this form, the side headings under column 1 and the top headings (columns 2—10) being contained on wide flaps. Five pages or as many as possible up to that number, will be set apart for each court or office; in this way the description heading will last for a number of years.

Note 2.—The serial numbers in columns 4 and 7 will tally with the Nazir's numbers in Forms I and II.

Note 3.—If articles are transferred from one court or office to another, they may be shown in the receipt or written off column of the respective courts, with cross reference to the page number, the receiving officer initialling both entries: any further explanation of this or any other transaction may be shown in column 10.

FORM No. (R) 41.**Register of Applications for Casual Leave.**

| Name and rank
of officer. | Leave granted. | | Cause of absence. | Address while
on leave. | Initial of head
of office. |
|------------------------------|----------------|----|-------------------|----------------------------|-------------------------------|
| | From | To | | | |
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

FORM:

Statistical Register of Title/Money and Movable/Rent Suits

[illegible]

Note 1.—A separate register in this form shall be maintained for each class of suits.

Note 2.—To avoid inconveniently high figures a fresh series of consecutive numbers may be started

Note 3.—Fraction of a rupee amounting to less than annas 8 may be omitted and when it amounts

No. (R) 42.

Instituted according to valuation in the Court of

[illegible]

at the beginning of each month.
 10 annas 8 or over, it may be counted as a rupee.

[illegible]

FORM No. (R) 44.

**Statistical Register of Original Cases/Appeals received by Transfer, or upon
Remand, Review or Revival.**

[illegible]

Note 1.—The numbers in the first column cannot obviously be in a consecutive series.
Note 2.—Separate registers in this form should be maintained for original cases and appeals.

FORM

Statistical Register of Title/Money and Movables/Rent Appeals

[illegible]

Note 1.—A separate register in this form shall be maintained for each class of appeal.

Note 2.—Fraction of 'a rupee amounting to less than annas 8 may be omitted and where it amounts

[illegible]

Statistical Register of Suits/Miscellaneous[illegible]

Note 1.—To avoid inconveniently high figures, a fresh series of consecutive numbers may be started
Note 2.—A separate register in this form shall be opened for each class of suits and for Miscellaneous
Note 3.—For the purpose of calculating the average duration of cases see the instruction in Note 3

(R) 46.

cases disposed of in the Court of.....

| promised. | | After full trial. | | | | | On reference to arbitration. | | | By transfer. | | | Remarks. |
|----------------------------|----------|-------------------------|-------------------------|--------------------------------------|----------------------------|----------|------------------------------|----------------------------|----------|--------------|----------------------------|----------|----------|
| Duration of cases in days. | | Judgment for plaintiff. | Judgment for defendant. | Number (total of columns 17 and 18). | Duration of cases in days. | | Number. | Duration of cases in days. | | Number. | Duration of cases in days. | | |
| Aggregate. | Average. | | | | Aggregate. | Average. | | Aggregate. | Average. | | Aggregate. | Average. | |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| | | | | | | | | | | | | | |

at the beginning of each month.
cases.
Annual Statement 4, Part I.

[illegible]

Note.—A separate register in this form shall be maintained for each class of appeals and for miscellaneous appeals.

FORM No. (R) 48.

No. (R) 48.

decree disposed of in the Court of.....

| | Movable
property
was— | Immovable property
was— | Possession
was given
of— | | The days for
which the appli-
cations in col-
umns 5 to 8
were pending. | |
|----|---|----------------------------|--------------------------------|--|---|--|
| 12 | Sold. | | | | | |
| 13 | Attached
released (Or. 21,
r. 55). | | | | | |
| 14 | Sold. | | | | | |
| 15 | Attached
released (Or. 21,
r. 55). | | | | | |
| 16 | Otherwise dealt
with (section 72,
Or. 21, r. 83;
Schedule III.
Paragraph 2, C.
P. Code). | | | | | |
| 17 | Movables (Or. 21,
r. 31). | | | | | |
| 18 | Immovables (Or.
21, rr. 35 and
39). | | | | | |
| 19 | Specific performance was en-
forced. | | | | | |
| 20 | Partition was effected (section
54, C. P. Code). | | | | | |
| 21 | Execution was otherwise
effected. | | | | | |
| 22 | Aggregate. | | | | | |
| 23 | Average. | | | | | |
| 24 | Remarks. | | | | | |

the beginning of each month. detailed in these columns, the case should be shown only in the column which seems most appropriate, the until the whole is satisfied or when decretal amounts are realized in instalments, all such receipts are to be

FORM No. (R) 49.**Register of guardians and managers and their accounts.****Register to facilitate the scrutiny of accounts of estates of minors and lunatics.***Part I.*

| No. of petition. | Name and other particulars of minor or lunatic. | Date of birth. | Name and address of guardian or manager appointed and relationship to minor or lunatic. | Date of appointment. | Date for submission of accounts. | Date of the minor attaining majority or of release of lunatic's estate from management under the District Court. |
|------------------|---|----------------|---|----------------------|----------------------------------|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |

Guardians' or Managers' accounts.*Part II.*

| Year. | Due dates. | Date of call for overdue accounts. | Date of submission of accounts. | Judge's orders on accounts (briefly). |
|-------|------------|------------------------------------|---------------------------------|---------------------------------------|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

Instructions.

1. Part I of the Register should be filled up as soon as the appointment of a guardian or manager is made, while Part II should be filled up periodically.
2. Each page of the Register should be allotted to one petition.

FORM NO. (S) 1.

III.—Statements and Returns.

FORM No. (S) 1.

Monthly Statement.

Showing the number of suits and cases disposed of and pending in the Court of.....at.....District.....
during.....19.....

Number of days employed.....
Number of days absent owing to
temporary indisposition.....

Presiding Judge.....
Departments in administrative
charge of.....

| A. | | B. | | | | | | | | | | | | | | | | | |
|----------------------------------|---------------------------|--|------------------------|--|----------------------------------|---|-------------------------------------|---|--------------------|--------------------|-----------------------------|---------------------------------|----------------------------------|------------|--|--|---|---------------------------|---------------------------|
| 1 | Class of suits and cases. | 2
Number of cases for disposal excluding those transferred to other courts. | Disposed of— | | | Number of witnesses examined. | | Cases fixed for peremptory hearing, how dealt with. | | | | | | | | | | | |
| | | | 3
After full trial. | 4
Without trial, <i>ex-parte</i> , on admission, on compromise, on reference to arbitration, etc. | 5
Total (of columns 3 and 4). | 6
In cases decided after full trial. | 7
In cases included in column 4. | 8
Remarks. | 9
Number fixed. | After full trial. | | | | Adjourned. | | | 14
Disposed of without trial, <i>ex-parte</i> , on admission, on compromise, on reference to arbitration, etc. | 15
For death of party. | 16
On prayer of party. |
| (1) Small cases | .. | | | | | | | | | 10
Disposed of. | 11
Number heard in part. | 12
Number awaiting judgment. | 13
Number, for argument, etc. | 14 | | | | | |
| (2) Rent suits | .. | | | | | | | | | | | | | | | | | | |
| (3) Money suits | .. | | | | | | | | | | | | | | | | | | |
| (4) Title and other suits | .. | | | | | | | | | | | | | | | | | | |
| (5) Miscellaneous judicial cases | .. | | | | | | | | | | | | | | | | | | |

[illegible]

Note.—This statement is to be submitted to the District Judge by *Managers and Subordinate Judges* every month irrespective of the quarterly and other periodical statements.

[Instructions].—1. Number of cases (*n*). 2. Sex (*s*) as appropriate; or (*v*) if women (*w*) are apparent; or (*m*) if men (*m*) are apparent.
3. Age (*a*) in years at onset of disease.
4. Duration of illness (*d*) in years.
5. Site of lesion (*l*) as determined by gross examination.
6. Gross appearance of lesion (*g*) as determined by gross examination.
7. Histologic type of lesion (*t*) as determined by microscopic examination.
8. Treatment (*e*) given.
9. Outcome of treatment (*r*) as determined by follow-up examination.
10. Remarks (*r*) as determined by follow-up examination.

2. Groups of column 3 cases tried together and governed by one judgment should be noted in remarks column 6.
3. If after a contested trial in part or full involving substantial time, a case is compromised or withdrawn and the Court feels that non-mention of the fact does in justice to the work, remarks column 11 may be availed of in such cases.

4. Only contested interlocutory matters of importance like injunction, appointment of receivers, etc., and to which the Court had to devote substantial time, should be entered in column 3.

be entered in column 5.

5. As to the execution cases, the number disposed of should only be entered in column 5.
6. The occasion for adjourning a peremptorily fixed case specially within the month should be rare. If in exceptional circumstances it becomes necessary to do so, the occasion should be entered in column 15, 16 or 17 as the case may be, and the corresponding order in column 15, 16 or 17 as the case may be.

6. The occasion for adjusting a preliminary entry in column 15, 16 or 17 as the case may be, should be entered again in column 9 with the corresponding entry in column 15, 16 or 17 as the case may be. Such cases with the number of times adjourned within the month should be noted in column 15.

7. If the numerical outturn appears to be inadequate of small and the Court is in a position to explain it, the factors that may have contributed to it may be stated in remarks column 18.

C—State of file and details of pendency of suits and cases.

| Class of suits and cases. | For disposal. | | | Pending at close of month after disposal. | Number pending for— | | | | | Remarks and a brief explanatory note as to entries in columns 9 and 10 and also as to entry regarding Small Cause Court suits in column 8. |
|---------------------------------------|--------------------------|---|-----------------------------|---|-------------------------|-------------------------------|--------------------------------|-------------------|----------------------|--|
| | Pending from last month. | Instituted and received during the month. | Total (of columns 2 and 3). | | Three months and under. | Between three and six months. | Between six and twelve months. | More than a year. | More than two years. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| (1) Small cause .. | | | | | | | | | | |
| (2) Rent suits .. | | | | | | | | | | |
| (3) Money suits .. | | | | | | | | | | |
| (4) Title and other suits .. | | | | | | | | | | |
| (5) Miscellaneous judicial cases. | | | | | | | | | | |
| (6) Miscellaneous non-judicial cases. | | | | | | | | | | |
| (7) Execution cases .. | | | | | | | | | | |
| (8) Appeals—Money .. | | | | | | | | | | |
| (9) Appeals—Rent .. | | | | | | | | | | |
| (10) Appeals—Title .. | | | | | | | | | | |
| (11) Appeals—Miscellaneous .. | | | | | | | | | | |

Note (1).—Number of column 8 cases revived and received by transfer, remand, etc., should also be noted separately in the remarks column.

Note (2).—Number of cases of each class over 2 years, 3 years, 4 years, 5 years, etc., should be noted separately in the remarks column.

Note (3).—Explanations should be as condensed as possible but clear and precise. Such entries as "Will be disposed of shortly," "At the desire of parties," "Fixed peremptory hearing on" etc., are not explanations of delay.

FORM No. (S) 2.

Quarterly statement of sales held and confirmed by the Court of the..... of.....

| No. of execution case. | Names of parties. | Names and specification of judgment-debtors whose property was sold. | Name of estate, par-gana, tauzi No. and extent of land or share sold. | Price for which sold and date of confirmation of sale. | Name and address of auction-purchaser and father's name. | Date on which registration will be compulsory. | No. of notices in Register in 11, if no application for registration made. | No. of Register 37, if fine is imposed under section 65 of Act VII (B.C.) of 1876. | No. of Register 4, when application for registration has been filed. | Remarks. |
|------------------------|-------------------|--|---|--|--|--|--|--|--|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| | | | | | | | | | | |

Instructions.—Columns 1 to 6 will be filled up by the Civil Court; columns 7 to 10 will be filled up in the Collector's office.

Forwarded to the Collector of _____ for information and necessary action.

Signature _____

Office _____

Dated _____ 19 .

Monthly statement of Cases and Appeals pending for hearing of arguments and delivery of judgments at the end of the month of_____.

In the Court of the District Judge/Additional District Judge/Subordinate Judge/Munsif.

| Cases and appeals or proceedings with No. and year. | Date on which evidence was closed. | Date on which arguments were heard and judgment reserved. | Date on which judgment was delivered. | Remarks.
(Including reason for undue delay, if any in delivering judgment.) |
|---|------------------------------------|---|---------------------------------------|--|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

Notes 1.—Statement in this form is to be submitted by District and Additional Judges to the High Court and by Subordinate Judges and Munsifs to the District Judge.

Note 2.—Cases shown in a previous statement with column 3 or 4 or both the columns blank are to be included in current and subsequent statements until that information can be furnished.

Note 3.—If arguments are for any special reason heard again, the date on which such arguments are heard should also be given under the original date in column 3 and the reason thereof stated in the remarks column.

Note 4.—This statement is to be submitted on or before the 15th of the month succeeding the month to which it relates (see rule 186, Civil Rules and Orders, Vol. I).

Signature of the Presiding Judge.

FORM No. (S) 4.

Quarterly Statement A (1).

Showing the number and general result of Suits and Miscellaneous Judicial Cases filed in the Court of...../District of.....for the.....quarter of 19.....

| 1 | Name of Court. | Class of suits and cases. | Number for disposal. | | | | | | Number disposed of— | | | | | | | | | | 18 | 19 |
|---|---------------------------------|---------------------------|----------------------------|------------------------------|----------|------------|----------------------------|--------------|---------------------|---|------------|-----------|---------------|----------------|------------------------------|-------------------|--|--|----|----|
| | | | Pending from last quarter. | Received during the quarter. | | | Total (of columns 3 to 6). | Transferred. | Total for disposal. | Without trial. | | Ex-parte. | On admission. | On compromise. | On reference to arbitration. | After full trial. | Total disposed of (aggregate of columns 10 to 16). | | | |
| | | | | Instituted. | Revived. | Otherwise. | | | | Dismissed for default or want of prosecution. | Otherwise. | | | | | | | | | |
| 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | | | | | |
| | (1) Small Cause | | | | | | | | | | | | | | | | | | | |
| | (2) Rent .. | | | | | | | | | | | | | | | | | | | |
| | (3) Money .. | | | | | | | | | | | | | | | | | | | |
| | (4) Title and other suits. | | | | | | | | | | | | | | | | | | | |
| | Total .. | | | | | | | | | | | | | | | | | | | |
| | (5) Miscellaneous judicial. | | | | | | | | | | | | | | | | | | | |
| | (1) Small Cause | | | | | | | | | | | | | | | | | | | |
| | (2) Rent .. | | | | | | | | | | | | | | | | | | | |
| | (3) Money .. | | | | | | | | | | | | | | | | | | | |
| | (4) Title and other suits. | | | | | | | | | | | | | | | | | | | |
| | Total .. | | | | | | | | | | | | | | | | | | | |
| | (5) Miscellaneous judicial. | | | | | | | | | | | | | | | | | | | |
| | Grand total of Superior Courts. | | | | | | | | | | | | | | | | | | | |
| | Grand total of Munsifs' Courts. | | | | | | | | | | | | | | | | | | | |

Note.—Statement in this form is to be submitted by Munsifs, Subordinate Judges and Additional Judges to the District Judge and by the District Judge to the High Court.

Quarterly Statement A (2).

Showing the details of the pendency of Suits and Miscellaneous Cases.

| Name of Court. | Class of suits and cases. | Number pending for— | | | | | Remarks and explanations as to entries in columns 5 to 7. |
|----------------|---------------------------------|-------------------------|-----------------------|---------------------|----------------------|------------------------|---|
| | | More than three months. | More than six months. | More than one year. | More than two years. | More than three years. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | (1) Title suit .. | | | | | | |
| | (2) Money suit .. | | | | | | |
| | (3) Rent suit .. | | | | | | |
| | (4) Small cause .. | | | | | | |
| | Total .. | | | | | | |
| | (5) Miscellaneous judicial | | | | | | |
| | (6) Miscellaneous non-judicial. | | | | | | |
| | (1) Title suit .. | | | | | | |
| | (2) Money suit .. | | | | | | |
| | (3) Rent suit .. | | | | | | |
| | (4) Small cause .. | | | | | | |
| | Total .. | | | | | | |
| | (5) Miscellaneous judicial | | | | | | |
| | (6) Miscellaneous non-judicial. | | | | | | |
| | Grand total of Superior Courts. | | | | | | |
| | Grand total of Munsifs' Courts. | | | | | | |

Note 1.—Details as to number and year of every case pending for more than 2 years, 3 years, 4 years, etc., should be given separately in the remarks column.

Note 2.—Explanations are to be noted half-yearly. A brief explanatory note regarding the pendency of cases shown in columns 5 to 7 should be given in the returns of the 2nd and 4th quarters. When a case requires detailed explanation regarding its pendency, it should be submitted with the 4th quarterly statement in a fly leaf if the remarks column is not sufficient for the purpose.

Note 3.—In the 2nd and 4th quarterly returns submitted by the Subordinate Courts to the District Judge should also be given a brief explanatory note regarding the pendency of small cause and miscellaneous cases in column 4.

Note 4.—Explanations should in all cases be as condensed as possible but clear and precise. Stay of proceedings, awaiting return of records, representation of deceased parties, in the hands of commissioner, awaiting disposal of analogous cases in the same or another court and other reasons that have really contributed to the delay should be briefly noted. Such entries as "Will be disposed of shortly," "At the desire of parties," "Fixed for peremptory hearing on.....," etc., are not explanations of delay.

FORM No. (S) 5.

Quarterly Statement B(1).

Showing the result of proceedings on applications for execution of Decrees filed in the Court of /District of for the quarter of 19.....

| 1 Name of Court. | Number of applications for disposal. | | | | Number of applications disposed of (a). | | | | | | Number disposed of distributed according to the mode of execution, i.e., number on which— | | | | | | | | | | 26 Remarks. | | | | |
|---------------------------------|--------------------------------------|---------------|--|----------|---|------------------------|------------|--|---------------|-----------|---|---------------------|--------------------------|---------------------------|-----------------------|---|-------------------------|---|---|---------------------------------|--|---------------------------------------|---|--------------------------------------|--|
| | 10 Pending from last quarter. | 2 Instituted. | 4 Received by transfer or remand, or readmitted. | 5 Total. | 6 Transferred. | Satisfaction obtained— | | Wholly infunctious. | | 11 Total. | 12 Pending at close of quarter. | 13 Amount realised. | The judgment-debtor was— | | Movable property was— | | Immovable property was— | | | Possession was given of— | | 23 Specific performance was enforced. | 24 Partition was effected (section 54, Civil Procedure Code). | 25 Execution was otherwise effected. | |
| | | | | | | 7 In full. | 8 In part. | 9 Withdrawn, not prosecuted or rejected. | 10 Otherwise. | | | | 14 Imprisoned. | 15 Arrested but released. | 16 Sold. | 17 Attached but released (Order 21, rule 55). | 18 Sold. | 19 Attached but released (Order 21, rule 55). | 20 Otherwise dealt with (section 72, Order 21, rule 83, Schedule III, paragraph 2, Civil Procedure Code). | 21 Movable (Order 21, rule 31). | 22 Immovables (Order 21, rules 35 and 36). | | | | |
| Grand total of Superior Courts. | | | | | | | | | | | | | | | | | | | | | | | | | |
| Grand total of Munsifs' Courts. | | | | | | | | | | | | | | | | | | | | | | | | | |

(a) This statement deals only with cases in which an application for execution has been made.

(b) This statement includes oral application under Order 21, rule 11(7).
 (c) As to transfer, the following cases only are to be entered: (i) those in which, after transfer, an application has been made for execution under Order 21, rule 10 and (ii) those in which a decree has been transferred for execution by a superior Court to a Subordinate Court of its own motion after an application for execution under Order 21, rule 10 has been made and execution ordered under Order 21, rule 17.
 (d) When orders of public officers, etc., are attached and decrees are remitted month by month until the whole is satisfied or when decretal amounts are reduced in instalments, all such receipts are to be entered in this column.
 (e) When upon an application, a decree is executed in two or more of the modes detailed in these columns, the case should be shown only in the column which seems most appropriate, the whole decree being taken as executed in the way in which the bulk of it is executed.
 (f) Statement in this form is to be submitted by Munsifs, Subordinate Judges and additional Judges to the District Judge and by the District Judge to the High Court.

Quarterly Statement B(2).

Showing the pendency of applications for execution of Decrees.

| Name of Court. | Applications for execution of decrees in suits for— | Number of applications pending for— | | | | Remarks and explanations as to entries in columns 5 and 6. |
|----------------|---|-------------------------------------|-----------------------|---------------------|----------------------|--|
| | | More than three months. | More than six months. | More than one year. | More than two years. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | Title and other suits .. | | | | | |
| | Money or movables .. | | | | | |
| | Rent | | | | | |
| | Total .. | | | | | |
| | Title and other suits .. | | | | | |
| | Money or movables .. | | | | | |
| | Rent | | | | | |
| | Total .. | | | | | |
| | Title and other suits .. | | | | | |
| | Money or movables .. | | | | | |
| | Rent | | | | | |
| | Total .. | | | | | |
| | Grand total of Superior Courts. | | | | | |
| | Grand total of Munsif's Courts. | | | | | |

Note 1.—Details as to the number and year of every execution case pending for more than 2 years, 3 years, 4 years, etc., should be given separately in the remarks column.

Note 2.—Explanations are to be noted half-yearly. A brief explanatory note regarding the pendency of cases shown in columns 5 and 6 should be given in the returns of the 2nd and 4th quarters. When a case requires detailed explanation regarding its pendency, it should be submitted with the 4th quarterly return in a fly leaf if the remarks column is insufficient for the purpose.

In the 2nd and 4th quarterly returns submitted by the Subordinate Courts to the District Judge should also be given a brief explanatory note regarding the pendency of cases in column 4.

Note 3.—Explanations of delay should be as condensed as possible. The real reason contributing to the delay should be stated concisely but precisely, e.g., stay of proceedings, awaiting return of records, representation of deceased parties, in the hands of commissioner, etc. Such entries as "Will be disposed of shortly," "At the desire of parties," "Fixed for peremptory hearing on....." etc., are not explanations of delay.

FORM No. (8) 6.

Quarterly Statement C (1).

Showing the number and general result of Regular and Miscellaneous Appeals filed in the Court of...../District of.....for the.....quarter of 19....

| Name of Court. | Class of appeals. | Number for disposal. | | | | | | Number disposed of. | | | | | | | Decided after full trial (number out of columns 10 to 13). | Pending at close of quarter. | Remarks. |
|----------------|---------------------------------------|----------------------------|-------------------------------|------------|----------------------------|--------------|---------------------|------------------------------|------------|-----------|-----------|-----------------------|---|----|--|------------------------------|----------|
| | | Pending from last quarter. | Received during the quarter. | | Total (of columns 3 to 5). | Transferred. | Total for disposal. | Dismissed or not prosecuted. | Confirmed. | Modified. | Reversed. | Remanded for retrial. | Total disposed of (aggregate of columns 9 to 13). | | | | |
| | | | Instituted and re-instituted. | Otherwise. | | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | |
| | Title .. | | | | | | | | | | | | | | | | |
| | Money .. | | | | | | | | | | | | | | | | |
| | Rent .. | | | | | | | | | | | | | | | | |
| | Total .. | | | | | | | | | | | | | | | | |
| | Miscellaneous | | | | | | | | | | | | | | | | |
| | Title .. | | | | | | | | | | | | | | | | |
| | Money .. | | | | | | | | | | | | | | | | |
| | Rent .. | | | | | | | | | | | | | | | | |
| | Total .. | | | | | | | | | | | | | | | | |
| | Miscellaneous | | | | | | | | | | | | | | | | |
| | Grand total of Regular appeals. | | | | | | | | | | | | | | | | |
| | Grand total of Miscellaneous appeals. | | | | | | | | | | | | | | | | |

Note.—Statement in this form is to be submitted by Subordinate Judges and Additional Judges to the District Judge and by the District Judge to the High Court.

Quarterly Statement C(2).

Showing the details of pendency of Regular and Miscellaneous Appeals.

| Name of Court. | Class of appeals. | Number of appeals pending for— | | | | | Remarks and explanations as to entries in columns 5 to 7. |
|----------------|---------------------------------------|--------------------------------|-----------------------|---------------------|----------------------|------------------------|---|
| | | More than three months. | More than six months. | More than one year. | More than two years. | More than three years. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | Title .. | | | | | | |
| | Money .. | | | | | | |
| | Rent .. | | | | | | |
| | Total .. | | | | | | |
| | Miscellaneous .. | | | | | | |
| | Title .. | | | | | | |
| | Money .. | | | | | | |
| | Rent .. | | | | | | |
| | Total .. | | | | | | |
| | Miscellaneous .. | | | | | | |
| | Grand total of Regular appeals. | | | | | | |
| | Grand total of Miscellaneous appeals. | | | | | | |

Note 1.—Details as to the number and year of every appeal pending for more than 2 years, 3 years, 4 years, etc., should be given separately in the remarks column.

Note 2.—Explanations are to be noted half-yearly. A brief explanatory note regarding the pendency of appeals shown in columns 5 to 7 should be given in the returns of the 2nd and 4th quarters. When a case requires detailed explanation regarding its pendency, it should be submitted with the 4th quarterly return in a fly leaf if the remarks column is not sufficient for the purpose.

In the 2nd and 4th quarterly returns submitted by the Subordinate Courts to the District Judge should also be given a brief explanatory note regarding the pendency of miscellaneous appeals in column 4.

Note 3.—Explanations should in all cases be as condensed as possible but clear and precise. Stay of proceedings, awaiting return of records, representation of deceased parties, in the hands of commissioners, remand for further evidence or local investigation, awaiting disposal of analogous cases in the same or another Court and other reasons that have really contributed to the delay should be briefly noted. Such entries as "Will be disposed of shortly," "At the desire of parties," "Fixed for peremptory hearing on.....," etc., are not explanations of delay.

[illegible]

(c) Names of officers should not be bracketed together with the comment "fair" or "unsatisfactory". Such expressions do not convey any correct idea of the work of each officer. District Judges should make individual comments in each case with special reference to any deficiency apparent in the return (General Letter No. 1 of 11th January 1932).

FORM No. (8) 7A

Return of valuation and apportionment cases dealt with by the Calcutta Improvement Tribunal during the quarter ending 19.....

| | Year and number of case. | Date on which reference was received from the Collector. | Dates on which heard. | Number of witnesses heard. | Date of judgement or order (if uncontested). | Number of Collector's orders confirmed. | Number of Collector's awards enhanced. | Number of Collector's awards enhanced by more than 10 per cent. | Remarks. |
|------------------------|--------------------------|--|-----------------------|----------------------------|--|---|--|---|----------|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| A. Valuation cases-- | | | | | | | | | |
| (i) contested .. | .. | | | | | | | | |
| (ii) Uncontested .. | .. | | | | | | | | |
| B. Appointment cases-- | | | | | | | | | |
| (i) Contested .. | .. | | | | | | | | |
| (ii) Uncontested .. | .. | | | | | | | | |

N. B.—Pending cases from previous returns to be brought forward under appropriate heads in red ink.

FORM No. (8) 7B.

Return of Civil Deposit cases dealt with by the Calcutta Improvement Tribunal during the quarter ending.....19.....

| Number of cases pending at the end of previous quarter. | 1 | Number of cases instituted during the quarter. | 2 | Number of cases disposed of. | 3 | Number of cases pending at the end of the quarter. | 4 | Remarks. | 5 |
|--|---|--|---|------------------------------|---|--|---|----------|---|
| (i) Applications for purchase of land or other investment under section 32(f) of the Land Acquisition Act, 1894. | | | | | | | | | |
| (ii) Applications for payment of costs under section 32(g) of the Land Acquisition Act, 1894. | | | | | | | | | |

N.B.—If any cases are contested, this should be noted in column 5 (Remarks).

- (7) Appeals—Title ..
- (8) Appeals—Money ..
- (9) Appeals—Rent ..
- (10) Appeals—Miscellaneous.
- (1) Title ..
- (2) Money ..
- (3) Rent ..
- (4) Small cases ..
- (5) Miscellaneous judicial cases.
- (6) Execution cases ..
- (7) Appeals—Title ..
- (8) Appeals—Money ..
- (9) Appeals—Rent ..
- (10) Appeals—Miscellaneous.

Note 1.—Suits disposed of by transfer should be mentioned in the remarks column.

Note 2.—Statement in this form is to be submitted by Munsifs, Subordinate Judges and Additional Judges to the District Judge and by the District Judge to the High Court.

Statement for the 2nd/4th quarter of 19.../Register showing the cases of which proceedings have been stayed in the Court of...../District of.....

Note 4.—A register in this form should be maintained in every Court and whenever any stay order is vacated or rendered inoperative for other reasons it should be noted in the remarks column with the date of the order and number of the case.

Annual Statement 1 (Civil).

For the District Judgeship of.....for the year 19....

PART 1.

List of Judicial Divisions, with Area and Population.

| Name of District Judge-ship. | Name of Collectorate. | Names of munsifs. | Area in square miles.* | Population. |
|------------------------------|-----------------------|-------------------|------------------------|-------------|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

*If the Judgeship includes more than one Collectorate, give the area and population separately for each.

PART II.

Return showing the total number of Judicial and Revenue Officers, exercising jurisdiction in civil cases at the close of the year, their class and powers. Also the number of working days that officers of each class, employed in the district during any part of the year, were engaged in each department.

| Class of Courts. | Exercising civil powers only (a). | Civil and Criminal powers (a). | Civil and Revenue powers (a). | Exercising civil, Criminal and Revenue powers (a). | Total Number of working days employed. | | | Remarks. (c) |
|---|-----------------------------------|--------------------------------|-------------------------------|--|--|-----------------------|----------------------|--------------|
| | | | | | On Civil work (b). | On Criminal work (b). | On Revenue work (b). | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| District Judge | | | | | | | | |
| Additional Judge | | | | | | | | |
| (District) | | | | | | | | |
| Small Cause Court Judges | | | | | | | | |
| Small Cause Court Judges with powers of Subordinate Judge | | | | | | | | |
| Subordinate Judges | | | | | | | | |
| Subordinate Judges with Small Cause Court powers | | | | | | | | |
| Munsifs | | | | | | | | |
| Munsifs with Small Cause Court powers | | | | | | | | |
| Total | | | | | | | | |
| (District) | | | | | | | | |
| Small Cause Court Judges | | | | | | | | |
| Small Cause Court Judges with powers of Subordinate Judge | | | | | | | | |
| Subordinate Judges | | | | | | | | |
| Subordinate Judges with Small Cause Court powers | | | | | | | | |
| Munsifs | | | | | | | | |
| Munsifs with Small Cause Court powers | | | | | | | | |
| Total | | | | | | | | |

(a) Only officers exercising civil powers and employed in the district on the last day of the year are to be entered in these columns.

(b) In these columns enter the working days of every officer exercising civil powers who was employed in the district during any part of the year. An estimate of the share of an officer's time given to each department should be entered in case a precise record has not been kept.

(c) In the Remarks column should be shown separately the working days of each court and the number of days its presiding officer was on leave.

Note.—Give also the information required in the following form :—

| Grades of Judicial Officers. | European. | Indian. | Remarks. |
|---|-----------|---------|----------|
| Officers exercising both Original and Appellate Jurisdiction— | | | |
| District Judges | | | |
| Additional Judges | | | |
| Subordinate Judges | | | |
| Officers exercising Original Jurisdiction only— | | | |
| Small Cause Court Judges | | | |
| Munsifs | | | |

PART III.

Statement showing the Receipts and Charges of the several grades of Civil Courts and the proportion of the salary of Judicial Officers debitable to Civil Justice.

148

Subordinate Judges' Courts

Munsifs' Courts ..

Total ..

Courts at the Presidency.Presidency Small Cause
CourtsHigh Court, Original Juris-
dictionHigh Court, Appellate
Jurisdiction

Total ..

* (a) Omit fractions of a rupee.

(b) In district where the same (establishment) is employed in different departments, enter only a share of the costs calculated on an estimate of the share of the time of each officer employed, which is devoted to civil work.

(c) The proportion of an officer's time shown in Part II to have been devoted to civil work, will determine the proportion of his pay to be debited to civil justice.

Note.—Nadirs and Khal-Nadirs are ministerial officers and their salaries should be exhibited in column 12 (General Letter No. 9 of 30th November, 1896).

FORM

Annual Statement

Showing number and value of Suits instituted in the Civil Courts in the

| Class of Tribunals. | Number of suits instituted | | | | | | | | |
|-------------------------------------|------------------------------|---------------------------|------------------------|------------------------------|---------------------------|------------------------|------------------------------|---------------------------|------------------------|
| | Value not exceeding Rs. 10. | | | Value not exceeding Rs. 50. | | | Value not exceeding Rs. 100. | | |
| | Suits for money or movables. | Suits under the Rent Law. | Title and other suits. | Suits for money or movables. | Suits under the Rent Law. | Title and other suits. | Suits for money or movables. | Suits under the Rent Law. | Title and other suits. |
| Courts in the Interior. | | | | | | | | | |
| Union Courts* | | | | | | | | | |
| Munsifs— | | | | | | | | | |
| Under ordinary procedure .. | | | | | | | | | |
| Under Small Cause Court powers .. | | | | | | | | | |
| Small Cause Court--- | | | | | | | | | |
| As Small Cause Court Judges .. | | | | | | | | | |
| Under powers of Subordinate Judge | | | | | | | | | |
| Subordinate Judges— | | | | | | | | | |
| Under ordinary procedure .. | | | | | | | | | |
| Under Small Cause Court powers .. | | | | | | | | | |
| District and Additional Judges .. | | | | | | | | | |
| Total .. | | | | | | | | | |
| Courts at the Presidency. | | | | | | | | | |
| High Court, General Jurisdiction .. | | | | | | | | | |
| High Court, Special Jurisdiction— | | | | | | | | | |
| Admiralty | | | | | | | | | |
| Testamentary* | | | | | | | | | |
| Matrimonial | | | | | | | | | |
| Total .. | | | | | | | | | |

*Figures to be furnished.

3 (CIVIL).

in the year 19

**Value not
exceeding Rs. 500.**

| | Suits for money or movables. | Value not exceeding Rs. 500. | |
|--|---|-----------------------------------|--|
| | Suits under the Rent Law. | | |
| | Title and other suits. | | |
| | | Value not exceeding Rs. 1,000. | |
| | | Value not exceeding Rs. 2,000. | |
| | | Value not exceeding Rs. 5,000. | |
| | | Value not exceeding Rs. 10,000. | |
| | | Value not exceeding Rs. 1,00,000. | |
| | | Value exceeding Rs. 1,00,000. | |
| | The value of which can not be estimated in money. | | |
| | Total. | | |
| | | Total value of suits. | |
| | | Remarks. | |

by the local Government.

FORM

Annual State

Showing the general result of the trial of Civil Cases in the Courts of Original

PART I.—

| Class of Courts. | Number of suits before the Courts. | | | | | Number of suits | | | | | | | |
|--------------------------------------|---------------------------------------|-----------------------------|--------------------------|---------------------|----------------------------|--|------------|------------------------------------|-----------------------------------|-------------------|-----------|---|-------------------|
| | Pending at the beginning of the year. | Instituted during the year. | Revived during the year. | Otherwise received. | Total (of columns 2 to 5). | Without trial. | | | | | Ex-parte. | | |
| | | | | | | Under Or. IX, rr. 3 and 6, C. P. Code, where the defendant does not admit the claim. | Otherwise. | Number (total of columns 7 and 8). | Aggregate number of days pending. | Average duration. | Number. | Aggregate number of days occupied in trial. | Average duration. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| Courts in the Interior. | | | | | | | | | | | | | |
| Union Courts* | .. | | | | | | | | | | | | |
| Munsifs— .. | .. | | | | | | | | | | | | |
| Under ordinary procedure | | | | | | | | | | | | | |
| Under Small Cause Court powers .. | .. | | | | | | | | | | | | |
| Small Cause Courts— | | | | | | | | | | | | | |
| As Small Cause Court Judges .. | .. | | | | | | | | | | | | |
| Under powers of Subordinate Judge .. | .. | | | | | | | | | | | | |

Note 1.—The entries in column 3 are meant to show new institutions only and should agree with state-reckoned as "instituted."

Note 2.—Cases received in a manner not specifically provided for by any of the columns should be included

Note 3.—In calculating average duration, the time that the suit has actually been pending in a particular whether by institution or by transfer, and to cease pending when it is no longer before the Court whether as treated as if newly instituted on the date of revival or on the date of receipt by remand.

The remarks column is intended for use in cases where the Court feels that the application of these instructions sec. 111, B. T. Act, or could not be proceeded with pending the disposal of an appeal or motion against an where a long series of holidays or a vacation is a serious factor in delay, this should be noted in the remarks

For the purpose of calculating the average duration of suits however (and for that purpose only) a suit

Note 4.—Column 26 embraces only cases disposed of by judgment pronounced according to an arbitral or is set aside should be classified in accordance with their ultimate method of disposal. Cases in which all part on other matters cannot be said to be cases of disposal on reference to arbitration.

Note 5.—The agent of a suit (column 34) should be calculated from its date of institution irrespective of its

*Figures to be furnished by the Local Government.

FORM

| Class of Courts. | Number of suits before the Courts. | | | | | Number of suits | | | | | | | |
|--|---------------------------------------|-----------------------------|--------------------------|---------------------|----------------------------|--|------------|------------------------------------|-----------------------------------|-------------------|-----------|---|-------------------|
| | Pending at the beginning of the year. | Instituted during the year. | Revised during the year. | Otherwise received. | Total (of columns 2 to 5). | Without trial. | | | | | Ex-parte. | | |
| | | | | | | Under Or. IX, rr. 3 and 8, C. P. Code, where the defendant does not admit the claim. | Otherwise. | Number (total of columns 7 and 8). | Aggregate number of days pending. | Average duration. | Number. | Aggregate number of days occupied in trial. | Average duration. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| Courts in the Interior—
concl. | | | | | | | | | | | | | |
| Subordinate Judges— | | | | | | | | | | | | | |
| Under ordinary procedure | | | | | | | | | | | | | |
| Under Small Cause Court powers | | | | | | | | | | | | | |
| District and Additional Judges | | | | | | | | | | | | | |
| Total of each class** for civil courts— | | | | | | | | | | | | | |
| Suits for money or movables .. | | | | | | | | | | | | | |
| Suits under the Rent Law | | | | | | | | | | | | | |
| Title and other suits .. | | | | | | | | | | | | | |
| Total .. | | | | | | | | | | | | | |
| Courts at the Presidency. | | | | | | | | | | | | | |
| Presidency Small Cause Court | | | | | | | | | | | | | |
| High Court, General Jurisdiction | | | | | | | | | | | | | |
| High Court, Special Jurisdiction— | | | | | | | | | | | | | |
| Admiralty .. | | | | | | | | | | | | | |
| Testamentary .. | | | | | | | | | | | | | |
| Matrimonial .. | | | | | | | | | | | | | |
| Total .. | | | | | | | | | | | | | |

**The classification adopted in Statement 2 is to be followed.

Instructions.—1. The total of columns 9, 12, 15, 18, 23, 26, 29 and 33 should tally with the total of

2. Number of cases in column 34 over 2 years, 3 years, 4 years, etc., should be noted

[illegible]

column 6.
separately in the remarks column.

FORM

Annual State

Showing the general result of the trial of Civil Cases in the Courts of Original

PART II.—Miscellaneous

| Class of Courts. | Number of cases before the courts. | | | | | Number of cases | | | | | | | |
|-------------------------------------|---------------------------------------|-----------------------------|--------------------------|---------------------|----------------------------|---|------------|------------------------------------|-----------------------------------|-------------------|-----------|---|-------------------|
| | Pending at the beginning of the year. | Instituted during the year. | Revived during the year. | Otherwise received. | Total (of columns 2 to 5). | Without trial. | | | | | Ex-parte. | | |
| | | | | | | Dismissed for default or want of prosecution. | Otherwise. | Number (total of columns 7 and 8). | Aggregate number of days pending. | Average duration. | Number. | Aggregate number of days occupied in trial. | Average duration. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| Courts in the Interior. | | | | | | | | | | | | | |
| Union Courts* .. | | | | | | | | | | | | | |
| Municipals .. | | | | | | | | | | | | | |
| Small Cause Courts— | | | | | | | | | | | | | |
| As Small Cause Court Judges .. | | | | | | | | | | | | | |
| Subordinate Judges .. | | | | | | | | | | | | | |
| District and Additional Judges .. | | | | | | | | | | | | | |
| Total .. | | | | | | | | | | | | | |
| Courts at the Presidency. | | | | | | | | | | | | | |
| Presidency Small Cause Court .. | | | | | | | | | | | | | |
| High Court, General Jurisdiction .. | | | | | | | | | | | | | |
| Total .. | | | | | | | | | | | | | |

*Figures to be furnished by the local Government.

Note 1.—Information regarding the number of cases of Contempt of Court under Chapter XXXV of the *Note 2.*—In this statement should be entered the number of applications for Probate or Letters of Administration for miscellaneous judicial cases for disposal, disposed of and pending.

Note 3.—Cases received in a manner not specifically provided for by any of the columns should be included

Note 4.—The instructions in Annual Statement 4, Part I, regarding the calculation of average duration, *Instructions.*—1. The total of columns 9, 12, 15, 18, 23, 26, 29 and 33 should tally with total of column 6.

* Number of cases in column 34 over 2 years, 3 years, 4 years, etc., should be noted

FORM

Annual Statement

Showing the business of the Civil Appellate

Part 1.—Appeals

| Class of Courts. | Number of appeals before the Courts. | | | | Number of appeals | | |
|---|---------------------------------------|--|---------------------|--------------------------------|------------------------------|-----------------------------------|-------------------|
| | Pending at the beginning of the year. | Instituted and reinstated during the year. | Otherwise received. | Total (of columns 2, 3 and 4). | Dismissed or not prosecuted. | | |
| | | | | | Number. | Aggregate number of days pending. | Average duration. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| Courts in the interior. | | | | | | | |
| <i>Appeals from Original Decrees.</i> | | | | | | | |
| Subordinate Judges | | | | | | | |
| District and Additional Judges .. | | | | | | | |
| Total of each Class* for Civil Courts— | | | | | | | |
| <i>Appeals from decisions in suits for money or movables</i> | | | | | | | |
| <i>In suits under the rent law</i> | | | | | | | |
| <i>In title and other suits</i> | | | | | | | |
| Total .. | | | | | | | |
| Courts at the Presidency. | | | | | | | |
| <i>Appeals from Original Decrees.</i> | | | | | | | |
| High Court— | | | | | | | |
| From decisions by Courts in the interior | | | | | | | |
| From decisions on the Original Side | | | | | | | |
| Total .. | | | | | | | |
| <i>Appeals from Appellate Decrees.</i> | | | | | | | |
| High Court— | | | | | | | |
| From decisions by Appellate Courts in the interior | | | | | | | |
| From decisions of a single Judge or Bench on Appeal in the High Court | | | | | | | |
| Total .. | | | | | | | |

*The classification adopted in statement 2 is to be followed.

Note 1.—Appeals heard under sec. 102A, B. T. Act, should be shown in this

Note 2.—Cases received in a manner not specifically provided for by any of the

Note 3.—Appeals summarily rejected should be included in column 6.

Note 4.—The instructions in Annual Statement 4, Part I, regarding calculation

Instructions.—1. The total of columns 6, 9, 10, 11, 12, 15 and 19 should tally

2. Number of cases in column 20 over two years, three years

5 (CivR).

from Deere.

I disposed of

of average duration, etc., apply also to this statement.
with the total of column 5.
four years, etc., should be noted separately in remarks column.

Annual State

Showing the business of the Civil Appellate

PART H.—Miscellaneous

| Class of Courts. | Number of appeals before the Courts. | | | | Number of appeals | | |
|--|---------------------------------------|--|---------------------|--------------------------------|------------------------------|-----------------------------------|-------------------|
| | Pending at the beginning of the year. | Instituted and reinstituted during the year. | Otherwise received. | Total (of columns 2, 3 and 4). | Dismissed or not prosecuted. | | |
| | | | | | Number. | Aggregate number of days pending. | Average duration. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| Courts in the Interior. | | | | | | | |
| <i>Appeals from Original Orders.</i> | | | | | | | |
| Subordinate Judges .. | | | | | | | |
| District and Additional Judges .. | | | | | | | |
| Total .. | | | | | | | |
| Courts at the Presidency. | | | | | | | |
| <i>Appeals from Original Orders.</i> | | | | | | | |
| High Court— | | | | | | | |
| From decisions by the Subordinate Courts .. | | | | | | | |
| From decisions on the Original Side .. | | | | | | | |
| Total .. | | | | | | | |
| <i>Appeals from Appellate Orders.</i> | | | | | | | |
| High Court— | | | | | | | |
| From decision by the Subordinate Appellate Courts .. | | | | | | | |
| From decision of a single Judge or Bench in Appeal in the High Court | | | | | | | |
| Total .. | | | | | | | |

Note 1.—Cases received in a manner not specifically provided for by any of the columns should be included

Note 2.—Appeals summarily rejected should be included in column 6.

Note 3.—The instructions in Annual Statement 4, Part I regarding calculation of average duration, etc.,

Instructions.—1. The total of columns 6, 9, 10, 11, 12, 15 and 19 should tally with column 5.

2. Number of cases in column 20 over two years, three years, four years, etc., should be

No. 16.

ment & (Civil).

Courts of the _____ in the year 19

Appeals (Judicial).

disposed of.

[illegible]

in column 4 headed " Otherwise received."

apply also to this statement.

noted separately in the remarks column.

FORM

Annual State

Showing the result of proceedings on applications for the execution

| Class of Courts. | Number of applications dealt with. | | | | | Application disposed of. (3) | | | | | | |
|--|---------------------------------------|--|--|-------------------------------------|--------|------------------------------------|-------------------------------------|------------------------|----------|--|------------|--------|
| | Pending at the beginning of the year. | Filed. (1) | | Restored to the file for any cause. | Total. | Transferred. | | Satisfaction obtained. | | Wholly infructuous. | | Total. |
| | | The decrees being those of the Court where execution is taken out. | The decrees being those of other Courts transferred for execution (2). | | | To another Court under section 39. | To the Collector, under section 63. | In full. | In part. | Withdrawn, not prosecuted or rejected. | Otherwise. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| Courts in the Interior. | | | | | | | | | | | | |
| *Union Courts .. | | | | | | | | | | | | |
| Munsifs— | | | | | | | | | | | | |
| Under ordinary procedure | | | | | | | | | | | | |
| Under Small Cause Court powers .. | | | | | | | | | | | | |
| Small Cause Courts— | | | | | | | | | | | | |
| As Small Cause Court Judges .. | | | | | | | | | | | | |
| Under powers of subordinate Judge .. | | | | | | | | | | | | |
| Subordinate Judges— | | | | | | | | | | | | |
| Under ordinary procedure | | | | | | | | | | | | |
| Under Small Cause Court powers .. | | | | | | | | | | | | |
| District and Additional Judges | | | | | | | | | | | | |
| Total .. | | | | | | | | | | | | |
| Courts at the Presidency. | | | | | | | | | | | | |
| Presidency Small Cause Court | | | | | | | | | | | | |
| High Court, General Jurisdiction .. | | | | | | | | | | | | |
| High Court Special Jurisdiction— | | | | | | | | | | | | |
| Admiralty .. | | | | | | | | | | | | |
| Testamentary .. | | | | | | | | | | | | |
| Matrimonial .. | | | | | | | | | | | | |
| Total .. | | | | | | | | | | | | |

*Figures to be supplied by the Local Government.

(1) Including verbal applications under Or. 21, r. 11(f)

(2) The following cases only are to be entered (1) those in which, after, transfer, an application has execution by a superior Court to a subordinate Court of its own motion after an application for (3) This statement deals only with cases in which an application for execution has been made.

Columns 10 to 13.—When upon an application a decree is executed in two or more of the modes detailed whole decree being taken as executed in the way in which the bulk of it is executed.

No. (6) 17.

ment 6 (Civil).

of the decrees of the Civil Courts in the

in the year 19 .

| Number of applications on which— | | | | | | | | | | | | | | Days for which the applications in columns 6-12 were pending. | | Remarks.

(Note the number of entries in columns 6 and 7 where the decrees have been transferred from or to another province. |
|-----------------------------------|------------------|-----------------------|---|-------------------------|---|------------------------------------|---|---|--------------------------------------|-----------------------------------|------------------------------------|----|----|---|-----------------|---|
| Judgment-debtor was— | | Movable property was— | | Immovable property was— | | Specific performance was enforced. | Possession was given of— | | Partition was effected (section 54). | Execution was otherwise effected. | | | | | | |
| | | | | | | | | | | | | | | | | |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| Finding at the close of the year. | Amount realized. | Imprisoned. | Arrested but released without imprisonment. | Sold. | Attached but subsequently released (Or. 21, r. 55). | Sold. | Otherwise dealt with (Or. 21, r. 53, Sch. 3, para. 2, or section 72). | Attached but subsequently released (Or. 21, r. 55). | Specific performance was enforced. | Movables (Or. 21, r. 31). | Immovables (Or. 21, rr 35 and 36). | | | In the aggregate. | In the average. | |

been made for execution under Or. 21, r. 10 and (2) those in which a decree has been transferred for execution under Or. 21, r. 10, has been filed and execution ordered under Or. 21, r. 17.

In these columns, the case should be shown only in the column, which seems most appropriate, the

FORM

Annual State

*Proceedings in Insolvency under the Provincial Insolvency Act, 1920 (V of***PART I—Showing the number and results of insolvency petitions presented**

| Class of Courts. | Insolvency petitions. | | | | | | | | | | | | |
|---|---------------------------------------|-------------------------------|-----------------------------------|----------------------------|-----------------------|--------|----------------------|--------------------------|--|--|----|----------------------------------|--------|
| | Pending at the beginning of the year. | Number dealt with. | | | | | Number disposed of—. | | | | | | |
| | | Presented during year. | | | Received by transfer. | Total. | Transferred. | Withdrawn under sec. 14. | By composition or scheme of arrangement under sec. 38. | By orders of adjudication under secs. 27 and 28. | | Dismissed under secs. 25 and 26. | Total. |
| | | By debtors. | | Receivers being appointed. | | | | | | Receivers not being appointed. | | | |
| | | Under arrest or imprisonment. | Not under arrest or imprisonment. | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| Courts subordinate to District Courts and specially empowered under sec. 3 .. | | | | | | | | | | | | | |
| District Courts .. | | | | | | | | | | | | | |
| Total .. | | | | | | | | | | | | | |

PART II.—Showing the number of estates in the hands of

| Class of Courts. | Number of Insolvents' estates in the hands of Receivers. | | | Amount of creditors' the year. | |
|---|--|---|-----------------------------------|--|---------|
| | Pending at the beginning of the year. | Placed in charge of a Receiver during the year. | Pending at the close of the year. | Unsatisfied and pending at the close of the previous year. | Proved. |
| 1 | 2 | 3 | 4 | 5 | 6 |
| Courts subordinate to District Courts and specially empowered under sec. 3 .. | | | | | |
| District Courts .. | | | | | |
| Total .. | | | | | |

Note.—Column 7 of this Part is intended to show the amount of creditors' claims satisfied during the the gross amount of insolvents' assets realized and disbursed during the year with reference not only to of 1911).

No. (S) 18.

ment 7 (Civil).

1920), in the district of.....during the year 19.....

under section 7 of the Act, and the number of insolvents before the Courts.

| Debtors adjudged to be insolvent. | | | | | | | | | | | | | |
|-----------------------------------|----|---|----|--------------------------|----|----|------------------------|--------------|------------------------|--------------|--------|--|----|
| Debtors sentenced under sec. 69. | | Undischarged insolvents sent for trial under sec. 72 (S). | | Number before the Court. | | | Disposed of. | | | | | Remaining undischarged at close of year (including insolvents who have been refused discharge or whose discharge remains suspended under sec. 41 (S) (b).) | |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 | Discharged or died. | | Annulled | | | | 26 |
| | | | | | | | Under the Act of 1920. | Other cases. | Under the Act of 1920. | Other cases. | Total. | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | 27 | |

Receivers and the progress made in winding them up.

| claims dealt with during | | Amount of Insolvents' assets realized and outstanding. | | | | Remarks. |
|--------------------------|---|--|--|--------------------------------|--|----------|
| Satisfied. | Unsatisfied and pending at the close of the year. | Amount of realised assets in the hands of Receivers at the close of the previous year. | Gross amount realised during the year. | Total amount of disbursements. | Amount remaining in the hands of Receivers at the close of the year. | |
| 7 | 8 | 9 | 10 | 11 | 12 | |
| | | | | | | |
| | | | | | | |

year, whether they were admitted during or prior to the year under review. Columns 10 and 11 refer to claims admitted during that year but also to those admitted in previous year (General Letter No. 11

No. (6) 19.

(interlocutory only), instituted, disposed of and pending in each of the Civil during the year 19 .

| of column 6 cases in which— | | Number of column 7 cases in which— | | Average duration between the date of <i>ex parte</i> order in column 6 or date of order of notice in column 7 and the date of the final order in the presence of the opposite party in cases included in columns 8, 9, 10, 11 and 12. | Number pending at the close of the year. | Remarks. |
|--|---|---|--|---|--|----------|
| Injunction was dissolved after hearing the opposite party or for other reason (without appearance or objection.) | Injunction was continued on consent or for non-appearance or want of objection. | Injunction was granted after hearing opposite party or on consent or for other reason (non-appearance). | Injunction was refused after hearing opposite party or other reason. | | | |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| | | | | | | |

not agree with the total of columns 11 and 12 as final order may not have been passed during the year if any, through which they may have passed during that year should be re-entered in the identical should be shown in the remarks column.

FORM No. (3) 20.

Annual statement showing separately the number of long pending original suits (ordinary procedure) and miscellaneous cases remaining undecided in the Court/District of at the close of 19 .

| Name of Courts. | Class of suits. | Year of institution. | | | | | | | | | | | | Total. | Remarks. |
|----------------------|-----------------|----------------------------------|------|------|------|------|------|------|------|------|------|------|------|--------|----------|
| | | (Over 10 years)
Prior to 19 . | 19 . | 19 . | 19 . | 19 . | 19 . | 19 . | 19 . | 19 . | 19 . | 19 . | 19 . | | |
| | | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | | |
| District Judge .. | Title .. | | | | | | | | | | | | | | |
| | Money .. | | | | | | | | | | | | | | |
| | Rent .. | | | | | | | | | | | | | | |
| | Total .. | | | | | | | | | | | | | | |
| | Miscellaneous | | | | | | | | | | | | | | |
| Additional Judges .. | Title .. | | | | | | | | | | | | | | |
| | Money .. | | | | | | | | | | | | | | |
| | Rent .. | | | | | | | | | | | | | | |
| | Total .. | | | | | | | | | | | | | | |
| | Miscellaneous | | | | | | | | | | | | | | |
| Subordinate Judges | Title .. | | | | | | | | | | | | | | |
| | Money .. | | | | | | | | | | | | | | |
| | Rent .. | | | | | | | | | | | | | | |
| | Total .. | | | | | | | | | | | | | | |
| | Miscellaneous | | | | | | | | | | | | | | |
| Munsifs .. | Title .. | | | | | | | | | | | | | | |
| | Money .. | | | | | | | | | | | | | | |
| | Rent .. | | | | | | | | | | | | | | |
| | Total .. | | | | | | | | | | | | | | |
| | Miscellaneous | | | | | | | | | | | | | | |
| | Grand Total .. | | | | | | | | | | | | | | |

Note.—Details as to number and year of every case more than ten years old in column 3 should be given separately in the remarks column.

FORM No. (8) 21.

Annual statement showing separately the number of long pending regular and miscellaneous appeals remaining undecided in the Court/
District of at the close of 19 .

| Name of Courts. | Class of appeals. | Year of institution. | | | | | | | | | | | | Total. | Remarks. |
|----------------------|-------------------|----------------------|------|------|------|------|------|------|------|------|------|------|------|--------|----------|
| | | (Over 10 years) | | | | | | | | | | | | | |
| | | Prior to 19 | 19 . | 19 . | 19 . | 19 . | 19 . | 19 . | 19 . | 19 . | 19 . | 19 . | 19 . | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | |
| District Judge .. | Title .. | | | | | | | | | | | | | | |
| | Money .. | | | | | | | | | | | | | | |
| | Rent .. | | | | | | | | | | | | | | |
| | Total .. | | | | | | | | | | | | | | |
| | Miscellaneous | | | | | | | | | | | | | | |
| Additional Judges .. | Title .. | | | | | | | | | | | | | | |
| | Money .. | | | | | | | | | | | | | | |
| | Rent .. | | | | | | | | | | | | | | |
| | Total .. | | | | | | | | | | | | | | |
| | Miscellaneous | | | | | | | | | | | | | | |
| Subordinate Judges | Title .. | | | | | | | | | | | | | | |
| | Money .. | | | | | | | | | | | | | | |
| | Rent .. | | | | | | | | | | | | | | |
| | Total .. | | | | | | | | | | | | | | |
| | Miscellaneous | | | | | | | | | | | | | | |
| | Grand Total .. | | | | | | | | | | | | | | |

Notes.—Details as to number and year of every case more than ten years old in column 3 should be given separately in the remarks column.

- (1) Column 3 of Annual Statement 4, Part I.
- (2) Columns 9, 16, 18, 25 of Annual Statement 4, Part I.
- (3) Column 12 of Annual Statement 4, Part I.
- (4) Column 23 of Annual Statement 4, Part I.
- (5) Column 33 of Annual Statement 4, Part I.

FORM No. (8) 23.

Table II (Civil)—Original Jurisdiction.

Showing the number of applications for the execution of decrees filed, disposed of and pending in the Civil Courts of the district of for the year 19 .

| Details of Courts. | Number of applications filed. (a) | Number of applications disposed of. | | | | Number of applications pending (e) | Amount realised. (f) | Proportion of infructuous proceedings. | Remarks. |
|--------------------|--|-------------------------------------|--------------|-------------------------|--------|------------------------------------|----------------------|--|----------|
| | | Satisfaction obtained— | | Wholly infructuous. (d) | Total. | | | | |
| | | In full. (b). | In part. (c) | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| Total | Regular Civil Courts
Small Cause Courts | | | | | | | | |
| | | | | | | | | | |

- (a) Columns 3 and 4 of Annual Statement 6.
 (b) Column 9 of Annual Statement 6.
 (c) Column 10 of Annual Statement 6.
 (d) Columns 11 and 12 of Annual Statement 6.
 (e) Column 14 of Annual Statement 6.
 (f) Column 15 of Annual Statement 6.

(a) Column 3 of Annual Statement 4, Part II.
(b) Column 32 of Annual Statement 4, Part II.
(c) Column 33 of Annual Statement 4, Part II.

FORM No (9) 25.

Table IV—Appellate Jurisdiction.

Showing the number of appeals from decision in regular suits instituted, disposed of and pending and the manner of disposal of appeals of each class in each of the Civil Appellate Courts of the district of _____ in the year _____.

| Details of Courts. | Number of appeals preferred— | | | | Number disposed of— | | | Mode of disposal. | | | | | | | | | | | | Remarks. | 22 |
|--------------------|------------------------------|-------|--------|------------|-----------------------------------|------------------------|---|----------------------------------|--|---|----------------------------------|--|---|----------------------------------|--|---|------------------------------|--|----|----------|--------------|
| | Money. | Rent. | Title. | Total (1). | 9 From Subordinate Judge's Court. | 7 From Munshi's Court. | 8 After full trial (Number out of columns 6 and 7). | Money. | | | Rent. | | | Title. | | | Total. | | | | |
| | | | | | | | | Dismissed or not prosecuted (2). | Confirmed, modified, reversed and remanded for full trial (3). | After full trial (Number out of column 10). | Dismissed or not prosecuted (2). | Confirmed, modified, reversed and remanded for full trial (3). | After full trial (Number out of column 13). | Dismissed or not prosecuted (2). | Confirmed, modified, reversed and remanded for full trial (3). | After full trial (Number out of column 16). | Dismissed or not prosecuted. | Confirmed, modified, reversed and remanded for full trial (Number out of column 19). | | | |
| 1 | | | | | | | | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | Pending (4). |
| | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | |
| Total .. | | | | | | | | | | | | | | | | | | | | | |

- (1) Column 3 of Annual Statement 5, Part I.
 (2) Column 6 of Annual Statement 5, Part I.
 (3) Columns 9, 10, 11 and 12 of Annual Statement 5, Part I.
 (4) Column 19 of Annual Statement 5, Part I.

Showing number of miscellaneous appeals instituted, disposed of, and pending in the several Courts of the district of during the year 19 .

| Detail of Courts. | Instituted (a). | Disposed of (b). | Pending (c). | Remarks. |
|--------------------------|------------------------|-------------------------|---------------------|-----------------|
| Total .. | | | | |

(a) Column 3 of Annual Statement 5, Part II.
(b) Column 18 of Annual Statement 5, Part II.
(c) Column 19 of Annual Statement 5, Part II.

FORM No. (8) 27.

Table VI (Civil)—Appellate Jurisdiction.

Showing the number of appeals preferred from decisions in original suits in the district of _____; the ratio of appeals to appealable decisions; the number of decisions affirmed, reversed, etc., and the ratio of affirmed, etc., to decided.

| 1 | 2 | Number of appeals preferred. | | | | Details of disposal of appeals. | | | | | | | | Remarks. | | |
|--------------------|--|------------------------------|-------|--------|-----------|---|------------------------------|--|--|--|--|--|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| | | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | Ratio per cent. to appeals decided on trial— | | | | |
| | | | | | | | | | | | | Of decisions affirmed on trial. | Of decisions modified on trial. | | Of decisions reversed on trial. | Of decisions remanded on trial. |
| Appeals from (1). | Number of decision in contested suits against which an appeal lay to the District Court (2). | Money. | Rent. | Title. | Total(3). | Ratio per cent. of appeals to appealable decisions. | Number decided on trial (4). | Number of judgments affirmed on trial. | Number of judgments modified on trial. | Number of judgments reversed on trial. | Number of judgments remanded on trial. | Of decisions affirmed on trial. | Of decisions modified on trial. | Of decisions reversed on trial. | Of decisions remanded on trial. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| Subordinate Judges | | | | | | | | | | | | | | | | |
| Municipals | | | | | | | | | | | | | | | | |
| Total | | | | | | | | | | | | | | | | |

- (1) It is not necessary to show separately the work of individual officers. Give total figures for each court.
 (2) Columns 21 and 22 of Annual Statement 4, Part I, omitting (a) cases in which no appeal lay, and (b) cases in which the appeal lay to the High Court.
 (3) Column 3 of Annual Statement 5, Part I.
 (4) Columns 9, 10, 11 and 12 of Annual Statement 5, Part I.

Showing the number of applications for an order to set aside an *ex parte* judgment or a judgment on default preferred, disposed of, and pending in the year 19- .

Note 1.—This table is intended for applications in connection with original suits only.

Note 2.—This table should also be submitted half yearly to the District Judge by the subordinate courts and when doing so cases in which applications had to be allowed on account of collusion, neglect of duty or any misconduct on the part of the process serving persons should be noted in the remarks column with the disciplinary action taken, if any. In submitting this statement to the District Judge, courts should also enter in the remarks column such other applications in connection with miscellaneous and other cases in which similar cases of misconduct have come to notice when allowing the applications.

FORM No. (8) 19.

Table VIII (Civil).

Showing the number and value of suits and appeals of each class* instituted in the Civil Courts of.....in the year 19.....

| Value of suits. | Suits. | | | | | | Appeals. | | | | | | Remarks. |
|------------------------------|------------------------|--------|---------------------|--------|------------------------|--------|---------------------------------|--------|------------------------------|--------|---------------------------|--------|----------|
| | For money or movables. | | Under the Rent Law. | | Title and other suits. | | In suits for money or movables. | | In suits under the Rent Law. | | In title and other suits. | | |
| | Number (a). | Value. | Number (a) | Value. | Number (a). | Value. | Number (b). | Value. | Number (b). | Value. | Number (b). | Value. | |
| Not exceeding Rs.— | | | | | | | | | | | | | |
| Rs. 10 .. | | | | | | | | | | | | | |
| Rs. 50 .. | | | | | | | | | | | | | |
| Rs. 100 .. | | | | | | | | | | | | | |
| Rs. 500 .. | | | | | | | | | | | | | |
| Rs. 1,000 .. | | | | | | | | | | | | | |
| Rs. 2,000† .. | | | | | | | | | | | | | |
| Rs. 5,000 .. | | | | | | | | | | | | | |
| Rs. 10,000 | | | | | | | | | | | | | |
| Rs. 1,00,000 | | | | | | | | | | | | | |
| Exceeding Rs. 1,00,000 | | | | | | | | | | | | | |
| Value not denotable in money | | | | | | | | | | | | | |
| Total .. | | | | | | | | | | | | | |

*The classification adopted in Annual Statement 2 is to be followed.

(a) Column 3 of Annual Statement 4, Part I.

(b) Column 3 of Annual Statement 5, Part I.

† This information should be supplied in regard to suits only.

FORM No. (8) 30.**Table IX (Civil).**

Showing receipts and disbursements on account of commissioners, employed in the execution of commissions under Or. 26, r. 3 of the C. P. Code in the district of during the year 19 .

| Name of Court. | Name of commissioner employed. | Ordinary employment of persons appointed as commissioners with qualification. If pleader, state whether survey passed or not. | Nature of commission. | Receipts. | | | Expenditure incurred in executing the commission. | | | | | | Remarks. |
|----------------|--------------------------------|---|-----------------------|-----------|----|----|---|----|----|-----------------|----|----|----------|
| | | | | | | | Commissioner's fee. | | | Other expenses. | | | |
| | | | | 1 | 2 | 3 |  |  |  |  |  |  |  | 4 | 5 |  |  | 6 |  |  | 7 |  |  | 8 |
| | | | | Rs. | a. | p. | Rs. | a. | p. | Rs. | a. | p. | |
| | | | | | | | | | | | | | |

Note.—In filling column 2 if the same commissioner has been appointed in more cases than one they should be noted consecutively.

FORM No. (8) 31.**Table X (Civil).**

Showing the Names of the Uncovenanted Judicial Officers employed in the district of on the last day of the year 19 , and the Immoveable Property held, acquired, or disposed of by them, or held by and managed by their Wives, or other Members of their Families living with, and in any way dependent on them.

| Name and official designation of officer. | Village, thana and district where property is situate. | Nature of property (if houses, the use to which they are put. If lands whether used for agriculture or garden or any other purpose) and extent of interest held. | Whether held in his own name, or in the name of another, or held by and managed by wife, or other member of family living with, and in any way dependent on him. | How acquired and from whom acquired or in whose favour relinquished. | Year, month and date of deed. | Price paid or obtained for the property. | If held under superior landlord, his name and place of residence with district. | Remarks. |
|---|--|--|--|--|-------------------------------|--|---|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | | | | | | | | |

Instructions.—Opposite the name of each officer enter detail (1) of property held in the district in which employed; (2) of property, if any, acquired during the year in any district; (3) of property, if any, which ceased to be held during the year in any district; and (4) of property, if any, held by and managed by his wife, or by any other member of his family living with him and in any way dependent on him. In column 5 enter the mode of acquisition, whether by inheritance, gift, purchase or otherwise, with date of acquisition.

FORM NO. (8) 32.

Table XI.

Table showing the number of Probates, Letters of Administration, Certificates and Extended Certificates, and the Duty levied thereon, for the Financial year 19 .

| Declared value of assets of estates. | Number of Probates and Letters of Administration with Will annexed. | Amount of Court-fees paid on column 2. | Number of Letters of Administration without Will annexed. | Amount of Court-fees paid on column 4. | Number of Certificates under Part X of the Indian Succession Act, XXXIX of 1925. | Amount of fees paid on column 6. | Number of Extended Certificates under Section 376 of the Indian Succession Act, XXXIX of 1925. | Amount of fees paid on column 8. | Total. | | Number of Letters of Administration cancelled and fresh Letters issued in lieu of the original. | Remarks. |
|--|---|--|---|--|--|----------------------------------|--|----------------------------------|---|--|---|----------|
| | | | | | | | | | Number of Probates, Letters of Administration and Certificates (columns 2, 4, 6 and 8). | Amount of Court-fees paid (columns 3, 5, 7 and 9). | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| Not exceeding Rs. 1,000 | | | | | | | | | | | | |
| Above Rs. 1,000 up to Rs. 5,000 .. | . | | | | | | | | | | | |
| Above Rs. 5,000 up to Rs. 10,000 .. | | | | | | | | | | | | |
| Above Rs. 10,000 up to Rs. 50,000 .. | | | | | | | | | | | | |
| Above Rs. 50,000 up to Rs. 1,00,000 .. | | | | | | | | | | | | |
| Above Rs. 1,00,000 .. | | | | | | | | | | | | |
| Total .. | | | | | | | | | | | | |

FORM NO. (8) 33.

Annual Return of Pleaders/Muktears enrolled in the Court of the

| Number in the High Court's Register and year of admission. | Name and degree, if any. | Father's name. | Place where practising. | Value of stamp on certificate. | Date of last renewal. | Remarks. |
|--|--------------------------|----------------|-------------------------|--------------------------------|-----------------------|----------|
| | | | | . | | |

Note 1.—The district in which a practitioner was originally enrolled should always be stated in the column of remarks when he obtains enrolment in another district. (General Letter No. 4 of 29th January 1880.)

Note 2.—In preparing this return, the name should be arranged in the order in which they stand in the High Court Register, with a view to facilitate the checking of the return in the office of the High Court. General Letter No. 16 of 14th December 1880.)

IV.—JUDICIAL.

FORM No. (J) 1.

Form of Heading of Deposition.

In the

Court of

Case No. of 19 .

PRESENT :

Deposition of Witness No. for the taken on oath/solemn
affirmation on the day of 19 .

My name is , son/wife of
by caste . My age is years. I reside at
police-station , district My occupation is

FORM No. (J) 2.

Heading of Judgment in original suit/case.

District

In the

Court of the

PRESENT :

....day, the day of 19 .

Suit/case No. of 19 . .

- 1.
- 2.

Plaintiff(s)
Petitioner(s)

versus

- 1.
- 2.

Defendant(s)
Opposite party.

This suit/case coming on for final hearing on (give date or dates)
in the presence of

Advocates/Pleaders for Plaintiffs/Petitioners,

Advocates/Pleaders for Defendants/Opposite party,

and having stood for consideration to this day, the Court delivered the
following judgment :—

FORM No. (J) 3.
Heading of Judgment on Appeal.

District

In the

Court of the

PRESENT :

....day, the day of 19 .

from the decree/order of *Appeal No.* of**Munsif/Subordinate Judge of** and made in

suit/case No. of

1.

2.

*Appellant(s),**versus*

1.

2.

Respondent(s),

This appeal coming on this day [or having been heard on (give date or dates)]
 in the presence of

*Advocates/Pleaders for Appellant(s),**Advocates/Pleaders for Respondent(s),*

and having stood for consideration to this day, the Court delivered the
 following judgment :—

FORM No. (J) 4.**Title page.***(for records of Class I.)***CLASS I****File A.***(This file must be preserved for ever.)*

In the Court of the

of

Suit or Case No. of 19 .

Plaintiff. } *N.B.—Name of 1st Plaintiff and of 1st Defen-*
Defendant. } *dant only need be entered.*

Date of Decision of Original Court**Date of Decision of Appellate Court****Date of receipt in Record-room****Date of repunching of Stamps***Signature of Record-keeper.*

FORM No. (J) 5.**Title page.***(for records of Class II.)***CLASS II****File B.***(This file must be destroyed at the end of 20 years.)*

[The above period shall be calculated from the date of the final decree or order, which, in cases appealed, will be that of the Appellate Court.]

In the Court of the _____ of _____

Suit or Case No. _____ of 19 ____

*Plaintiff.**Defendant.*

Date of Decision of Original Court

Date of Decision of Appellate Court

Date of receipt in Record-room

Date of repunching of Stamps

Signature of Record-keeper.

N. B.—Name of 1st plaintiff and of 1st Defendant only need be entered.

FORM No. (J) 6.**Title page.***(for records of Classes I, II and III.)***CLASS....****File C.****(This file must be destroyed at the end of 12 years.)*

[The above period shall be calculated from the date of the final decree or order, which, in cases appealed, will be that of the Appellate Court.]

In the Court of the _____ of _____

Suit or Case No. _____ of 19 ____

*Plaintiff.**Defendant.*

Date of Decision of Original Court

Date of Decision of Appellate Court

Date of receipt in Record-room

Date of repunching of stamps

Signature of Record-keeper.

(*Note—of C1 or C2 as the case may be.)

N. B.—Name of 1st Plaintiff and of 1st Defendant only need be entered.

FORM No. (J)7.**Title Page.***(for records of Classes I, III and III-A.)***CLASS....****File D.***(This file must be destroyed at the end of 3 years).*

[The above period shall be calculated from the date of the final decree or order, which, in cases appealed, will be that of the Appellate Court.]

In the Court of the

of

*Suit or Case No.**of 19 .**Plaintiff.**Defendant.*

Date of Decision of Original Court

Date of Decision of Appellate Court

Date of receipt in Record-room

Date of repunching of stamps

*Signature of Record-keeper.**N.B.—Name of 1st Plaintiff and of 1st Defendant only need be entered.***FORM No. (J)8.****Title Page.***(for records of Class III-A.)***CLASS....****File E***(This file must be destroyed at the end of 6 years).*

[The above period of 6 years shall be calculated from the date of the final decree or order, which, in cases appealed, will be that of the Appellate Court.]

In the Court of the

of

*Suit or Case No**of 19 .**Plaintiff.**Defendant.*

Date of Decision of Original Court

Date of Decision of Appellate Court

Date of receipt in Record-room

Date of repunching of stamps

*Signature of Record-keeper.**N.B.—Name of 1st Plaintiff and of 1st Defendant only need be entered.*

FORM No. (J)9.**Title Page.***(for records of Class IV.)***CLASS IV.****File B.***(This file must be preserved for 20 years.)*

In the Court of the _____ of

Execution Case No. _____ of 19 ____*Original Suit No.* _____ of 19 ____*Decree-holder.**Judgment-debtor.*

Date on which execution case was finally disposed of

Date of any subsequent decision of Appellate Court

Date of receipt in Record-room

Date of repunching of stamps

*Signature of Record-keeper.***FORM No. (J)10.****Title Page.***(for records of Class IV.)***CLASS IV****File C.***(This file must be destroyed at the end of 12 years.)*

[The above period shall be reckoned from the date on which the application for execution was finally disposed of by the Court executing the decree or by a Court of Appeal, whichever is the later date. For the purposes of this rule each execution record shall be dealt with separately irrespective of any other application to execute the same decree or order.]

In the Court of the _____ of

Execution Case No. _____ of 19 ____*Original Suit No.* _____ of 19 ____*Decree-holder.**Judgment-debtor.*

Date on which execution case was finally disposed of

Date of any subsequent decision of Appellate Court

Date of receipt in Record-room

Date of repunching of stamps

Signature of Record-keeper.

FORM No. (J)11.**Title Page.***(for records of Class IV-A.)***CLASS IV-A****File E.***(This file must be destroyed at the end of 6 years.)*

[The above period shall be reckoned from the date on which the application for execution was finally disposed of by the Court executing the decree or by a Court of Appeal, whichever is the later date. For the purposes of this rule each execution record shall be dealt with separately irrespective of any other application to execute the same decree or order.]

In the Court of the

of

*Execution Case No. of 19 .**• Original Suit No. of 19 .**Decree-holder.**Judgment-debtor.***Date on which execution case was finally disposed of****. Date of any subsequent decision of Appellate Court****Date of receipt in Record-room****Date of repunching of stamps***Signature of Record-keeper.*

FORM No. (J)12.**Table of Contents.****District****Court****No. of****Name of 1st Plaintiff or Applicant****Name of 1st Defendant or Opposite Party****Class****File**

| Serial number of paper. | Sheets. | Description. | Value of Court-fee stamps. | Remarks. |
|---------------------------------|---------|---|----------------------------|----------|
| 1 | 2 | 3 | 4 | 5 |
| | | | Rs. | |
| 1 | 1—3 | Order sheet | 50 | |
| 2 | 4—5 | Plaint | | |
| 3 | 6—8 | Written Statement | | |
| 4 | 9 | Memorandum of issues | | |
| 5 | 10—12 | Judgment | | |
| 6 | 13—14 | Decree | | |
| Total value of Court-fee stamps | | .. { On plaint ..
On other papers .. | | |

Signature of Officer of Court.**Compared and found correct.****Record-keeper.****Date**

Note.—This table must be written up from day to day by the Bench clerk as each new document or paper is added in the course of trial on dates fixed for hearing or by the clerk in charge of the file when it is filed on other dates.

FORM No. (J)13.**Form of Order Sheet.****District****Court of****PRESENT :***Suit/Case No. of**Versus*

| Serial No. | Date of order or proceeding | Order or other proceeding. | Signature of Court. | Office action taken on order with date and dated signature of pleaders or parties when necessary. |
|------------|-----------------------------|----------------------------|---------------------|---|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

FORM No. (J)13(a).**(Second sheet.)**

| Serial No. | Date of order or proceeding. | Order or other proceeding. | Signature of Court | Office action taken on order with date and dated signature of pleaders or parties when necessary. |
|------------|------------------------------|----------------------------|--------------------|---|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

District

In the Court of

at

Suit No. of 19 .

A.B.

Plaintiff.

versus

C.D.

Defendant.

Adjournments.

| For plaintiff. | | For defendant. | | For Court. |
|--------------------------|---|--------------------------|---|------------------------|
| 1
Number of petition. | 2
Date to which adjourned
or otherwise. | 3
Number of petition. | 4
Date to which adjourned
or otherwise. | 5
Date and reasons. |
| | | | | |

1. Plaintiff filed on
2. Plaintiff registered on
3. Date(s) of summons
4. Date(s) of service
5. Date for first/final hearing
6. Date(s) of appearance of defendant(s)
7. Date(s) of filing written statement(s)
8. Date of settlement of issues
9. Date of issue of commission for local investigation/examination of witnesses/examination of accounts/partition, etc. with returnable date
10. Actual return of commission with extended dates (if any)
11. Date(s) of hearing interlocutory matters (state nature)
12. To arbitration with returnable date
13. Date of filing award/compromise
14. Order passed thereon
15. Date(s) of peremptory hearing/Date(s) of actual hearing
16. Examination of plaintiff's witness (e.g., 1 to 5, 2nd January.)
17. Examination of defendant's witness (e.g., 1 to 4, 2nd January.)
18. No. of documents admitted on plaintiff's side
19. No. of documents admitted on defendant's side
20. Case closed on
21. Date(s) of hearing argument for plaintiff.
22. Date(s) of hearing argument for defendant
23. Date fixed for judgment
24. Judgment pronounced on
25. Decree signed and sealed on

1. Appeal filed on
2. Appeal registered on
3. Date of notice to respondent
4. Date(s) of service of notice
5. Date(s) of filing cross-objection (if any)
6. Received by transfer on
7. Date(s) for peremptory hearing
8. Date(s) of actual hearing
9. Date of order to lower Court for investigation on issues not being a remand with returnable date
10. Date of return
11. Second hearing on
12. Date fixed for judgment
13. Judgment pronounced on
14. Decree signed and sealed on
15. Copy of judgment and decree sent to lower court on

FORM No. (J) 16.**Short case diary for small causes.****District****In the Court of****at****Small Cause Court Suit No. of 19 .****A.B.****Plaintiff.****C.D.****Defendant.**

1. **Plaint filed on**
2. **Plaint registered on**
3. **Date(s) of summons**
4. **Date(s) of service**
5. **Date for final hearing**
6. **Date(s) of appearance of defendant(s)**
7. **Date(s) of filing written statement (if any)**
8. **Date of peremptory hearing (if any)**
9. **Date of actual hearing**
10. **Examination of plaintiff's witness**
(e.g., 1 to 5, 2nd January.)
11. **Examination of defendant's witness**
(e.g., 1 to 6, 2nd January.)
12. **Judgment and Decree on**

FORM No. (J) 17.**Form of Registered Address of a Party.****[Or. 6, r. 14-A, C.P. Code]****In the Court of****No. of 19 .****Plaintiff,****versus****Defendant.**

| Name. | Plaintiff
or
Defendant. | Residence
(town or village,
post office, thana
and district). | Remarks. |
|-------|-------------------------------|--|----------|
| | | | |

NOTE.—Each party must give its own address in this form when filing pleading.

The name of the street, lane or section and number of the house (if any) should be given and also the Munsifi (if in Bengal and Assam) or the District Court (if outside Bengal and Assam).

FORM No. (J) 18.**Order for delivery of interrogatories.**

(Or. 11, r. 1, C. P. Code.)

District**In the Court of****at***Suit No. of 19 .***A. B.*****Plaintiff,******versus*****C. D., E. F. and G. H.*****Defendants.***

Upon hearing and upon reading the affidavit of filed the
 day of 19 ; it is ordered that the be at
 liberty to deliver to the interrogatories in writing, and that
 the said do answer the interrogatories as prescribed by Order
 XI, rule 8, and that the costs of this application be

Judge.**FORM No. (J) 19.****Order to produce documents for inspection.**

(Or. 11, r. 14, C. P. Code.)

District**In the Court of****at****A. B.*****Plaintiff,******versus*****C. D., E. F. and G. H.*****Defendants.***

Upon hearing and upon reading the affidavit of
 filed the day of 19 ; it
 is ordered that the do, at all reasonable times, on reasonable notice,
 produce at , situate at the
 following documents, namely, , and that the
 be at liberty to inspect and peruse the documents so produced,
 and to make notes of their contents. In the meantime it is ordered that all
 further proceedings be stayed and that the costs of this application be

Judge.

FORM No. (J) 20.**Arbitration forms under schedule II of the C. P. Code.***Order of Reference.*

District

In the Court of

at

*Suit No. of 19 .**Plaintiff,**versus**Defendant.*

Upon reading the application presented on the _____ day of
 19 , it is ordered that the following matter in difference
 arising in this suit, namely :—

be referred for determination to X and Y, or in case of their not agreeing then
 to the determination of Z, who is hereby appointed to be umpire ; and such
 arbitrators are to make their award in writing on or before the
 _____ day of _____ 19 , and in case of the said arbitrators
 not agreeing in an award the said umpire is to make his award in writing within
 _____ after the time during which it is within the
 power of the arbitrators to make an award shall have ceased.

Liberty to apply.

Given under my hand and the seal of the Court, this

_____ day of

19 .

Judge.

FORM No. (J) 21.**Order for appointment of new Arbitrator.****District****In the Court of****at***Suit No. of 19 .**Plaintiff,**versus**Defendant*

Whereas by an order, dated the day of 19

(*state order of reference, and death, refusal, etc., of arbitrator*), it is by consent

ordered that Z be appointed in the place of X (deceased, or as the case may be)

to act as arbitrator with Y, the surviving arbitrator, under the said order

and it is ordered that the award of the said arbitrators be made on or before

the day of 19 .

Given under my hand and the seal of the Court, this

day of

19 .

Judge.

FORM No. (J) 22.**List of documents produced by plaintiff/defendant.**

(Under Or. 7, r. 14 or Or. 13, r. 1, C. P. Code.)

District**In the****Court of****at****Suit No.****of 19 .****Plaintiff,****versus****Defendant.**

| No. | Description of document and parties to the document. | Date if any of document in vernacular and in English. | Dated signature of party or pleader. |
|-----|--|---|--------------------------------------|
| 1 | 2 | 3 | 4 |
| | | | |

FORM No. (J) 23.**List of documents admitted in evidence.****Court of****No.****of****List of documents admitted in evidence for the plaintiff or (defendant).**

| Distinguishing mark or number. | Description and date of document. | Date of admission. | Whether admitted after, or without objection. |
|--------------------------------|-----------------------------------|--------------------|---|
| 1 | 2 | 3 | 4 |
| | | | |

Signature of Judge.

FORM No. (J) 24.**Appointment of a receiver.**

(Or. 40, r. 1, C. P. Code.)

District**In the Court of**

| | |
|---------------------------|--------------|
| <i>Suit No.</i> | <i>of 19</i> |
| <i>Execution Case No.</i> | <i>of 19</i> |

*versus***To**

Whereas upon reading the petition of plaintiff/defendant/deeree-holder/etc., dated the day of 19 praying for the appointment of a receiver and upon hearing, etc.,

it has been ordered that a receiver be appointed of the property described in the above suit/or attached in execution of a decree passed in the above suit on the day of 19 in favour of

; you are hereby (subject to your giving security in the bond of yourself and surety/sureties to be approved by the Judge) appointed receiver of the said property under Or. 40 of the C. P. Code of 1908 with full powers under the provisions of that Order.

The plaintiff/defendant/deeree-holder/etc., shall forthwith make over possession to the receiver, of the said property and all securities, books, papers, etc., in their hands relating to the said property.

You shall once in every months file a due and proper account of all receipts and disbursements and vouchers in court, the first account to be filed on the day of 19 ; you will be entitled to*

as your remuneration under the authority of this appointment.

Given under my hand and the seal of the Court, this day of

19 .

Judge.

*State if any commission on net collection or monthly allowance or the remuneration fixed on any other principle.

FORM No. (J) 25.**Decree in original suit.**

(Or. 20, rr. 6 and 7, C. P. Code.)

District**In the Court of at***Suit No. of 19 .**Plaintiff,**versus**Defendant.***Claim for**

This suit coming on this day for final disposal before
 in the presence of for the plaintiff, and of
 for the defendant, it is ordered and decreed that
 and that the sum of Rs. be paid by
 the to the
 on account of the costs of this suit, with interest thereon at the
 rate of per cent. per annum from this date to date of realisa-
 tion.

Given under my hand and the seal of this Court, this (1) day of

19

*Judge.*¹Enter here the date of the judgment.

N. B.—The Judge shall make an autograph note stating the date, month and year on which the decree is signed and initial the corrections or alterations, if any.

Costs of Suit.

Rs. a. p.

Rs. a. p.

Plaintiff.**Defendant.**

- | | |
|--|---|
| 1. Stamp for plaint .. | 1. Stamp for power .. |
| 2. Stamp for power .. | 2. Stamp for petitions and affidavits .. |
| 3. Stamp for petitions and affidavits .. | 3. Cost of exhibits including copies made under the Bankers' Book's Evidence Act, 1891 .. |
| 4. Cost of exhibits including copies made under the Bankers' Book's Evidence Act, 1891 .. | 4. Pleader's fee .. |
| 5. Pleader's fee on Rs. . | 5. Subsistence and travelling allowances of witnesses (including those of party if allowed by Judge) .. |
| 6. Subsistence and travelling allowances of witnesses (including those of party if allowed by Judge) | 6. Process fees .. |
| 7. Process fees .. | 7. Commissioners' fees |
| 8. Commissioners' fees | 8. Demi-paper .. |
| 9. Demi-paper .. | 9. Cost of transmission of records .. |
| 10. Cost of transmission of records .. | 10. Other costs allowed under the Code and Civil Rules and Orders .. |
| 11. Other costs allowed under the Code and Civil Rules and Orders .. | 11. Adjournment costs not paid in cash (to be deducted or added as the case may be) |
| 12. Adjournment costs not paid in cash (to be added or deducted as the case may be) | |

Note 1.—The parties should apply as soon as possible for the return of all exhibits which they may wish to preserve as they will be destroyed at the time prescribed by the High Court (Rule 557 *et seq* Civil Rules and Orders, Vol. I).

Note 2.—The above note or the schedule of costs shall be penned through if there are no exhibits for return or no costs in favour of any party. (*See* Note 1 to rule 486, Civil Rules and Orders, Volume I.)

FORM No. (J) 28.**Simple money-decree.**

(Section 34, C. P. Code.)

District

In the Court

at

Suit No. 19 .

*Plaintiff,**versus**Defendant.*

Claim for

This suit coming on this day for final disposal before

in the presence of for the plaintiff, and

for the defendant, it is ordered that the

do pay to the the sum

of Rs. with interest thereon at the rate of per cent. per annum

from

to the date of

realisation of the said sum, and do also pay Rs.

, the costs of this suit, with interest thereon at the rate of per cent.

per annum from this date to the date of realisation.

Given under my hand and the seal of the Court, this⁽¹⁾ day of

19

Judge.⁽¹⁾ Enter here the date of the judgment.*N. B.*—The Judge shall make on autograph note stating the date, month and year on which the decree is signed and initial the corrections or alterations, if any.

Costs of Suit.

| Plaintiff. | Defendant. |
|--|--|
| Rs. a. p. | Rs. a. p. |
| 1. Stamp for plaint .. | 1. Stamp for power .. |
| 2. Stamp for power .. | 2. Stamp for petitions and affidavits .. |
| 3. Stamp for petitions and affidavits .. | 3. Cost of exhibits including copies made under the Banker's Book's Evidence Act, 1891 .. |
| 4. Cost of exhibits including copies made under the Bankers' Book's Evidence Act, 1891 .. | 4. Pleader's fee .. |
| 5. Pleader's fee on Rs. | 5. Subsistence and travelling allowances of witnesses (including those of party, if allowed by Judge) .. |
| 6. Subsistence and travelling allowances of witnesses (including those of party, if allowed by Judge) .. | 6. Process fees .. |
| 7. Process fees .. | 7. Commissioner's fees |
| 8. Commissioner's fees | 8. Demi-paper .. |
| 9. Demi-paper .. | 9. Cost of transmission of records .. |
| 10. Cost of transmission of records .. | 10. Other costs allowed under the Code and Civil Rules and Orders .. |
| 11. Other costs allowed under the Code and Civil Rules and Orders .. | 11. Adjournment costs not paid in cash (to be deducted or added as the case may be) |
| 12. Adjournment costs not paid in cash (to be added or deducted as the case may be). | |

Note 1.—The parties should apply as soon as possible for the return of all exhibits which they may wish to preserve as they will be destroyed at the time prescribed by the High Court (Rule 557 *et seq* Civil Rules and Orders, Vol. I).

Note 2.—The above note or the schedule of costs shall be penned through if there are no exhibits for return or no costs in favour of any party. (*See Note 1 to rule 486, Civil Rules and Orders, Volume I.*)

FORM No. (d) 27.

Decree under Or. 21, r. 11(1) of the C. P. Code.

District

In the Court

at

Suit No. of 19 .

Plaintiff(s),

versus

Defendant(s).

Claim for Rs.

This suit coming on this day for final disposal in the presence of
on the part of the plaintiff, and on
the part of the defendant, it is ordered as follows :—

- (1) That C. D. the defendant do pay to A. B.
the plaintiff the sum of Rs.
and also the sum of Rs. for the costs of the suit together
with interest on principal/the said amount at the rate of Rs.
per cent. per annum from this day until payment thereof respec-
tively.
- (2) That if the said sum/sums are not paid, a warrant do issue for the
arrest of the said C. D.
- (3) That if warrant is issued as aforesaid, the defendant do pay to the
plaintiff the further sum of Rs. for his costs thereof and that
the said sum be inserted in the warrant accordingly.

Given under my hand and seal of this Court this

day of

19

Judge.

N. B.—The Judge shall make an autograph note stating the date, month and year
on which the decree is signed and initial the corrections or alterations, if any.

FORM No. (J) 28.

• Decree in original suits between landlord and tenant for the recovery of rent.

District

In the Court of at

Rent Suit No. of 19 .

Plaintiff,

versus

Defendant.

Claim for Rs. on account of rent for the period from
to (calculated at the yearly rent of
Rs. and cess at) in respect of land held in Mauza
thana and recorded in (enter here the serial number or numbers borne
by the tenancy in the Record of Rights).

This suit coming on this day for final disposal before and
in the presence of , for the plaintiffs, and
for the defendant, it is ordered and decreed that the sum of Rs.
(which includes rent calculated at a yearly rental of Rs. , cess at
and interest at per cent./damages at per cent.) be paid
by to together with interest at
per cent. per annum until realisation and that Rs. the costs of the suit
(vide schedule below) be also paid by to with interest
thereon at the rate of per cent. per annum until realisation.

Given under my hand and the seal of this Court this day¹ of 19

Judge.

*Framed under the Bengal Tenancy Act.

¹. Enter here the date of judgment.

N.B.—The Judge shall make an autograph note stating the date, month and year
on which the decree is signed and initial the corrections or alterations, if any.

Costs of Suit.

| Plaintiff. | Defendant. |
|--|---|
| Rs. a. p. | Rs. a. p. |
| 1. Stamp for plaint .. | 1. Stamp for power .. |
| 2. Stamp for power .. | 2. Stamp for petitions and affidavits .. |
| 3. Stamp for petitions and affidavits .. | 3. Cost of exhibits including copies made under the Banker's Book's Evidence Act, 1891 .. |
| 4. Cost of exhibits including copies made under the Banker's Book's Evidence Act, 1891 .. | 4. Pleader's fee .. |
| 5. Pleader's fee on Rs. | 5. Subsistence and travelling allowances of witnesses (including those of party, if allowed by Judge).. |
| 6. Subsistence and travelling allowances of witnesses (including those of party, if allowed by Judge) .. | 6. Process fees .. |
| 7. Process fee .. | 7. Commissioner's fees |
| 8. Commissioner's fees | 8. Demi-paper .. |
| 9. Demi-paper .. | 9. Cost of transmission of records .. |
| 10. Cost of transmission of records .. | 10. Other costs allowed under the Code and Civil Rules and Orders .. |
| 11. Other costs allowed under the Code and Civil Rules and Orders .. | 11. Adjournment costs not paid in cash (to be deducted or added as the case may be) |
| 12. Adjournment costs not paid in cash (to be added or deducted as the case may be). | |

Note 1.—The parties should apply as soon as possible for the return of all exhibits which they may wish to preserve as they will be destroyed at the time prescribed by the High Court (Rule 557 *et seq.*, Civil Rules and Orders, Vol. I).

Note 2.—The above note or the schedule of costs shall be penned through if there are no exhibits for return or no costs in favour of any party. (*See Note 1 to rule 486, Civil Rules and Orders, Vol. I.*)

N.B.—In the printed form, a table of costs and notice to take back documents is appended, as in Form No. (J) 25 *ante*.

(Where accounts are directed to be taken.)

(Or. 34, r. 2 (1) (a), C. P. Code.)

In the Court of the

Suit No. of 19 .

versus

Claim for

This suit coming on this day of 19
for hearing before and in the presence of
 for the plaintiff and for
~~the~~ defendant ; It is hereby ordered and decreed that it be referred to
 as the Commissioner to take the accounts

following :—

- (i) an account of what is due on this date to the plaintiff for principal and interest on his mortgage mentioned in the plaint (such interest to be computed at the rate payable on the principal or where no such rate is fixed, at six per cent. per annum or at such rate as the Court deems reasonable) ;
- (ii) an account of the income of the mortgaged property received up to this date by the plaintiff or by any other person by the order or for the use of the plaintiff or which without the wilful default of the plaintiff or such person might have been so received ;
- (iii) an account of all sums of money properly incurred by the plaintiff up to this date for costs, charges and expenses (other than the cost of the suit) in respect of the mortgage security, together with interest thereon (such interest to be computed at the rate agreed between the parties, or, failing such rate, at the same rate as is payable on the principal, or failing both such rates, at nine per cent per annum) ;

3. And it is hereby further ordered that the said Commissioner shall present the account to this Court with all convenient despatch after making all just allowances on or before the day of

4. And it is hereby further ordered and decreed—

(ii) that, on such payment and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the plaintiff shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the defendant or to such person as he appoints, and the plaintiff shall, if so required, re-convey or re-transfer the said property free from the said mortgage and clear of

and from all incumbrances created by the plaintiff or any person claiming under him or any person under whom he claims and free from all liability whatsoever arising from the mortgage or this suit and shall, if so required, deliver up to the defendant quiet and peaceable possession of the said property.

5. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the plaintiff shall be at liberty to apply to the Court for a final decree that the defendant shall thenceforth stand absolutely debarred and foreclosed of and from all right to redeem the mortgaged property described in the Schedule annexed hereto and shall, if so required, deliver up to the plaintiff quiet and peaceable possession of the said property ; and that the parties shall be at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this*
day of 19 .

Judge.

*Enter here the date of judgment.

Note.—The date, month and year of signing*the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

Schedule.

Description of the mortgaged property.

N. B.—In the printed form, a table of costs and notice to take back documents is appended, as in Form No. (J) 25 *ante*, for use, if required.

(Where the Court declares the amount due.)

[Or. 34, r. 2 (1) (b), C. P. Code.]

District

In the Court of the _____ **at** _____

Suit No. *of 19* .

Plaintiff,

versus

Defendant.

Claim for

This suit coming on this _____ day of _____ 19____
for hearing before _____ and in the presence of _____
_____ for the plaintiff and _____ for the
defendant ; It is hereby declared that the amount due to the plaintiff
on his mortgage mentioned in the plaint calculated up to this
day of _____ is the sum of Rs. _____ for principal, the sum of
Rs. _____ for interest on the said principal, the sum of Rs. _____ for
costs, charges and expenses (other than the costs of the suit) properly
incurred by the plaintiff in respect of the mortgage security, together
with interest thereon, and the sum of Rs. _____ for the costs of this
suit awarded to the plaintiff, making in all the sum of Rs. _____

2. And it is hereby ordered and decreed as follows :—

(i) that the defendant do pay into Court on or before the day of _____ or any later date up to which time for payment may be extended by the Court of the said sum of Rs. _____

(ii) that, on such payment and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, or Order XXXIV

of the First Schedule to the Code of Civil Procedure, 1908, the plaintiff shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the defendants, or to such person as he appoints, and the plaintiff shall, if so required, re-convey or re-transfer the said property free from the said mortgage and clear of and from all incumbrances created by the plaintiff or any person claiming under him or any person under whom he claims and free from all liability whatsoever arising from the mortgage or this suit and shall, if so required, deliver up to the defendant quiet and peaceable possession of the said property.

3. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the plaintiff may apply to the Court for a final decree that the defendant shall thenceforth stand absolutely debarred and foreclosed of and from all right to redeem the mortgaged property described in the Schedule annexed hereto and shall, if so required, deliver up to the plaintiff quiet and peaceable possession of the said property ; and that the parties shall be at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this*
day of 19 .

Judge,

*Enter here the date of judgment.

Note.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

Schedule.

Description of the mortgaged property.

N. B.—In the printed form, a table of costs and notice to take back documents is appended, as in Form No. (J) 25 *ante*, for use, if required.

FORM No. (J) 31.**Final decree for foreclosure.**

[Or. 34, r. 3 (2), C. P. Code.]

District

In the Court of the at .

Suit No. of 19 .

*Plaintiff,**versus**Defendant.*

Claim for

Upon reading the preliminary decree passed in this suit on the
 day of and further orders (if any) dated
 the day of and the application of the
 plaintiff, dated the day of
 for a final decree and after hearing the parties and it appearing that the
 payment directed by the said decree and orders has not been made by the
 defendant or any person on his behalf or any other person entitled to
 redeem the said mortgage :

It is hereby ordered and decreed that the defendant and all persons claim-
 ing through or under him be and they are hereby absolutely debarred and
 foreclosed of and from all right of redemption of and in the property in
 the aforesaid preliminary decree mentioned ; † [and (if the defendant be in
 possession of the said mortgaged property) that the defendant shall deliver to
 the plaintiff quiet and peaceable possession of the said mortgaged property.]

2. And it is hereby further declared that the whole of the liability whatso-
 ever of the defendant up to this day arising from the said mortgage men-
 tioned in the plaint or from this suit is hereby discharged and extinguished.

Given under my hand and the seal of this Court, this*
 day of 19 .

Judge.

*Enter here the date of judgment.

Note.—The date, month and year of signing the decree should be entered by the
 Presiding Officer under his signature or in any other convenient and conspicuous place
 and he should initial the corrections or alterations, if any.

†Words not required to be deleted.

N. B.—In the printed form, a table of costs and notice to take back documents is
 appended, as in Form No. (J) 25, *ante*, for use, if required.

FORM (J) 31(1).

Final decree for foreclosure in a redemption suit on default of payment by mortgager.

[Or. 34, r. 8(3), C. P. Code.]

District

In the Court of the at

Suit No. 19 .

Plaintiff,

versus

Defendant.

Claim for

Upon reading the preliminary decree in this suit on the day of and further orders (if any) dated the day of , and the application of the defendant dated the day of for a final decree and after hearing the parties, and it appearing that the payment as directed by the said decree and orders has not been made by the plaintiff or any person on his behalf or any other person entitled to redeem the mortgage :

It is hereby ordered and decreed that the plaintiff and all persons claiming through or under him be and they are hereby absolutely debarred and foreclosed of and from all right of redemption of and in the property in the aforesaid preliminary decree mentioned* [and (if the plaintiff be in possession of the said mortgaged property) that the plaintiff shall deliver to the defendant quiet and peaceable possession of the said mortgaged property].

2. And it is hereby further declared that the whole of the liability whatsoever of the plaintiff up to this day arising from the said mortgage mentioned in the plaint or from this suit is hereby discharged and extinguished.

Given under my hand and the seal of this Court this (i) day of 19 .

Judge.

Note.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

N.B.—In the printed form a table of costs and notice to take back documents is appended, as in Form No. (J) 25, ante, for use, if required.

*[] Words not required to be deleted.

(i) Enter here the date of judgment.

FORM No. (J) 32.**Preliminary decree for sale.**

(Where accounts are directed to be taken.)

[Or 34, r. 4(1), C. P. Code.]

District

In the Court of the

at

*Suit No. of 19 .**Plaintiff,**versus**Defendant*

Claim for

This suit coming on this day of 19
 for hearing before and in the presence of
 for the plaintiff and for the defendant ; It is
 hereby ordered and decreed that it be referred to as
 the Commissioner to take the accounts following :—

- (i) an account of what is due on this date to the plaintiff for principal and interest on his mortgage mentioned in the plaint (such interest to be computed at the rate payable on the principal or where no such rate is fixed, at six per cent. per annum or at such rate as the Court deems reasonable);
- (ii) an account of the income of the mortgaged property received up to this date by the plaintiff or by any other person by the order or for the use of the plaintiff or which without the wilful default of the plaintiff or such person might have been so received ;
- (iii) an account of all sums of money properly incurred by the plaintiff up to this date for costs, charges and expenses other than the costs of the suit in respect of the mortgage-security, together with interest thereon (such interest to be computed at the rate agreed between the parties, or, failing such rate, at the same rate as is payable on the principal, or, failing both such rates, at nine per cent. per annum) ;

(iv) an account of any loss or damage caused to the mortgaged property before this date by any act or omission of the plaintiff which is destructive of, or permanently injurious to, the property or by his failure to perform any of the duties imposed upon him by any law for the time being in force or by the terms of the mortgage-deed.

2. And it is hereby further ordered and decreed that any amount received under clause (ii) or adjudged due under clause (iv) above, together with interest thereon, shall first be adjusted against any sums paid by the plaintiff under clause (iii), together with interest thereon, and the balance, if any, shall be added to the mortgage-money or, as the case may be, be debited in reduction of the amount due to the plaintiff on account of interest on the principal sum adjudged due and thereafter in reduction or discharge of the principal.

3. And it is hereby further ordered that the said Commissioner shall present the account to this Court with all convenient despatch after making all just allowances on or before the day of _____, and that upon such report of the Commissioner being received, it shall be confirmed and countersigned subject to such modification as may be necessary after consideration of such objections as the parties to the suit may make.

4. And it is hereby further ordered and decreed—

(i) that the defendant do pay into Court on or before the _____ day of _____ or any later date up to which time for payment may be extended by the Court, such sum as the Court shall find due and the sum of Rs. _____ for the costs of the suit awarded to the plaintiff ;

(ii) that, on such payment and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit, and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the plaintiff shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the defendant, or to such person as he appoints, and the plaintiff shall, if so required, re-convey or re-transfer the said property free from the mortgage and clear of and from all incumbrances created by the plaintiff or any person claiming under him or any person under whom he claims and shall, if so required, deliver up to the defendant quiet and peaceable possession of the said property.

5. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the plaintiff may apply to the Court for a final decree for the sale of the mortgaged property; and on such application being made the mortgaged property or a sufficient part thereof shall be directed to be sold; and for the purposes of such sale the plaintiff shall produce before the Court, or such officer as it appoints, all documents in his possession or power relating to the mortgaged property.

6. And it is hereby further ordered and decreed that the money realised by such sale shall be paid into Court and shall be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to the plaintiff under this decree and under any further order that may be passed in this suit and in payment of any amount which the Court may adjudge due to the plaintiff in respect of such costs of the suit, and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, and that the balance, if any, shall be paid to the defendant or other persons entitled to receive the same.

7. And it is hereby further ordered and decreed that, if the money realised by such sale shall not be sufficient for payment in full of the amount payable to the plaintiff as aforesaid, the plaintiff shall be at liberty (where such remedy is open to him under the terms of his mortgage and is not barred by any law for the time being in force) to apply for a personal decree against the defendant for the amount of the balance; and that the parties are at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such direction as it thinks fit.

Given under my hand and the seal of this Court, this*
day of 19 .

Judge.

*Enter here the date of judgment.

Note.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the alterations or corrections, if any.

Schedule.

Description of the mortgaged property.

N.B.—In the printed form a table of costs and notice to take back documents is appended, as in Form No. (J) 25 ante, for use, if required.

FORM No. (J) 32 (1).**Preliminary decree for sale.**

(Where the Court declares the amount due.)

[Or. 34, r. 4 (1), C. P. Code.]

District

In the Court of the

at

*Suit No. of 19**Plaintiff,**versus**Defendant.*

Claim for

This suit coming on this day of 19
 for hearing before and in the presence of
 for the plaintiff and for the defendant;
 It is hereby declared that the amount due to the plaintiff on the mortgage
 mentioned in the plaint calculated up to this day of
 is the sum of Rs. for principal, the sum of
 Rs. for interest on the said principal, the sum of
 Rs. for costs, charges and expenses (other than the costs
 of the suit) properly incurred by the plaintiff in respect of the mortgage-
 security, together with interest thereon, and the sum of Rs.
 for the costs of the suit awarded to the plaintiff, making in all the sum of
 Rs.

2. And it is hereby ordered and decreed as follows :—

(i) that the defendant do pay into Court on or before the day of
 or any later date up to which time
 for payment may be extended by the Court the said sum of
 Rs. ;

(ii) that, on such payment and on payment thereafter before such date
 as the Court may fix of such amount as the Court may adjudge
 due in respect of such costs of the suit and such costs, charges
 and expenses as may be payable under rule 10, together with
 such subsequent interest as may be payable under rule 11, of
 Order XXXIV of the First Schedule to the Code of Civil Procedure,
 1908, the plaintiff shall bring into Court all documents in his
 possession or power relating to the mortgaged property in the
 plaint mentioned, and all such documents shall be delivered over
 to the defendant, or to such person as he appoints, and the

plaintiff shall, if so required, re-convey or re-transfer the said property free from the said mortgage and clear of and from all incumbrances created by the plaintiff or any person claiming under him or any person under whom he claims and shall, if so required, deliver up to the defendant quiet and peaceable possession of the said property.

3. And it is hereby further ordered and decreed that, in default of payment as aforesaid the plaintiff may apply to the Court for a final decree for the sale of the mortgaged property; and on such application being made, the mortgaged property or a sufficient part thereof shall be directed to be sold and for the purposes of such sale the plaintiff shall produce before the Court or such officer as it appoints all documents in his possession or power relating to the mortgaged property.

4. And it is hereby further ordered and decreed that the money realised by such sale shall be paid into Court and shall be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to the plaintiff under this decree and under any further orders that may be passed in this suit and in payment of any amount which the Court may adjudge due to the plaintiff in respect of such costs of the suit, and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interests as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, and that the balance, if any, shall be paid to the defendant or other persons entitled to receive the same.

5. And it is hereby further ordered and decreed that, if the money realised by such sale shall not be sufficient for payment in full of the amount payable to the plaintiff as aforesaid, the plaintiff shall be at liberty (where such remedy is open to him under the terms of his mortgage and is not barred by any law for the time being in force) to apply for a personal decree against the defendant for the amount of the balance; and that the parties are at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this*
day of 19 .

Judge.

(i) Enter here the date of judgment.

Note.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

Schedule.

Description of the mortgaged property.

N.B.—In the printed form a table of costs and notice to take back documents is appended as in Form No. (J) 25, *ante*, for use, if required.

FORM No. (J) 32(2).**Preliminary decree for sale.**

[Or. 34, r. 4 (4), C. P. Code.]

District

In the Court of the _____ at _____

*Suit No. of 19***Plaintiff,***Sub or derivative mortgagee.**versus***Defendant No. 1,***Mortgagor.***Defendant No. 2,***Original mortgagee.***Claim for**

This suit coming on this _____ day, etc.; It is hereby declared that the amount due to defendant No. 2 on his mortgage calculated up to this _____ day or _____ is the sum of Rs. _____ for principal, the sum of Rs. _____ for interest on the said principal, the sum of Rs. _____ for costs, charges and expenses (other than the costs of the suit) in respect of the mortgage-security together with interest thereon and the sum of Rs. _____ for the costs of the suit awarded to defendant No. 2, making in all the sum of Rs. _____

(Similar declarations to be introduced with regard to the amount due from defendant No. 2 to the plaintiff in respect of his mortgage.)

2. And it is hereby ordered and decreed as follows :—

- (i) That defendant No. 1 do pay into Court on or before the said _____ day of _____ or any later date up to which time for payment may be extended by the Court the said sum of Rs. _____ due to defendant No. 2.

(Similar declarations to be introduced with regard to the amount due to the plaintiff, defendant No. 2, being at liberty to pay such amount.)

- (ii) That, on payment of the sum declared due to defendant No. 2 by defendant No. 1 in the manner prescribed in clause 2 (i) and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest

as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the plaintiff and defendant No. 2 shall bring into Court all documents in their possession or power relating to the mortgaged property in the plaint mentioned, and all such documents (except such as relate only to the sub-mortgage) shall be delivered over to defendant No. 1, or to such person as he appoints, and defendant No. 2 shall, if so required, re-convey or re-transfer the property to defendant No. 1 free from the said mortgage clear of and from all incumbrances created by defendant No. 2 or any person claiming under him or any person under whom he claims and free from all liability arising from the mortgage or this suit and shall, if so required, deliver up to defendant No. 1 quiet and peaceable possession of the said property, and

- (iii) That, upon payment into the Court by defendant No. 1 of the amount due to defendant No. 2, the plaintiff shall be at liberty to apply for payment to him of the sum declared due to him together with any subsequent costs of the suit and other costs, charges and expenses, as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908 ; and that the balance, if any, shall then be paid to defendant No. 2 ; and that if the amount paid into the Court be not sufficient to pay in full the sum due to the plaintiff, the plaintiff shall be at liberty (if such remedy is open to him by the terms of the mortgage and is not barred by any law for the time being in force) to apply for a personal decree against defendant No. 2 for the amount of the balance.

3. And it is further ordered and decreed that if defendant No. 2 pays into Court to the credit of this suit the amount adjudged to the plaintiff, the plaintiff shall bring into the Court all documents, etc. [as in sub-clause (ii) of clause 2].

4. And it is hereby further ordered and decreed that, in default of payment by defendants Nos. 1 and 2 as aforesaid, the plaintiff may apply to the Court for a final decree for sale, and on such application being made the mortgaged property or a sufficient part thereof shall be directed to be sold ; and that for the purposes of such sale the plaintiff and defendant No. 2 shall produce before the Court or such officer as it appoints, all documents in their possession or power relating to the mortgaged property.

5. And it is hereby further ordered and decreed that the money realised by such sale shall be paid into Court and be duly applied (after deduction therefrom of the expenses of the sale) first in payment of the amount due to the plaintiff as specified in clause 1 above with such costs of the suit and other costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, and that the balance, if any, shall be applied in payment of the amount due to defendant No. 2; and that, if any balance be left, it shall be paid to defendant No. 1 or other persons entitled to receive the same.

6. And it is hereby further ordered and decreed that, if the money realised by such sale shall not be sufficient for payment in full of the amounts payable to the plaintiff and defendant No. 2, the plaintiff or defendant No. 2 or both of them, as the case may be, shall be at liberty (if such remedy is open under their respective mortgages and is not barred by any law for the time being in force) to apply for a personal decree against defendant No. 2 or defendant No. 1 (as the case may be) for the amount of the balance.

7. And it is hereby further ordered and decreed that, if defendant No. 2 pays into Court to the credit of this suit the amount adjudged due to the plaintiff, but defendant No. 1 makes default in payment of the amount due to defendant No. 2, defendant No. 2 shall be at liberty to apply to the Court for a final decree for foreclosure or sale (as the case may be)—(declarations in the ordinary form to be introduced according to the nature of defendant No. 2's mortgage and the remedies open to him thereunder).

8. And it is hereby further ordered and decreed that the parties are at liberty to apply to the Court as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this (i)
day of 19 .

Judge.

(i) Enter here the date of judgment.

Note.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

Schedule.

Description of the mortgaged property.

N.B.—In the printed form, a table of costs and notice to take back documents is appended, as in Form No. (J) 25 ante, for use, if required.

FORM No. (J) 33.**Final decree for sale.**

Or. 34, r. 5 (3), C. P. Code).

District

In the Court of the

at

Suit No.

of

Plaintiff,

versus

Defendant.

Claim for

Upon reading the preliminary decree passed in this suit on the

day of

and further orders (if any) dated

the

day of

and the application

of the plaintiff dated the

day of

for

a final decree and after hearing the parties and it appearing that the payment directed by the said decree and orders has not been made by the defendant or any person on his behalf or any other person entitled to redeem the mortgage :

It is hereby ordered and decreed that the mortgaged property in the aforesaid preliminary decree mentioned or a sufficient part thereof be sold, and that for the purposes of such sale the plaintiff shall produce before the Court or such officer as it appoints all documents in his possession or power relating to the mortgaged property.

2. And it is hereby further ordered and decreed that the money realised by such sale shall be paid into the Court and shall be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to the plaintiff under the aforesaid preliminary decree and under any further orders that may have been passed in this suit and in payment of any amount which the Court may have adjudged due to the plaintiff for such costs of the suit including the costs of this application and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, and that the balance, if any, shall be paid to the defendant or other persons entitled to receive the same.

Given under my hand and the seal of this Court, this*

day of

19 .

Judge.

*Enter here the date of judgment.

Note.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

N.B.—In the printed form, a table of costs and notice to take back document is appended, as in Form No. (J) 25 ante, for use, if required.

FORM No. (J) 33 (1).

Final decree for sale in a redemption suit on default of payment by mortgagor.

[O. 34, r. 8 (3), C. P. Code.]

District

In the Court of

at

Suit No. of 19 .

Plaintiff.

versus

Defendant.

Claim for

Upon reading the preliminary decree passed in this suit on the day of and further orders (if any), dated the day of and the application of the defendant dated the day of for a final decree and after hearing the parties and it appearing that the payment directed by the said decree and orders has not been made by the plaintiff or any person on his behalf or any other person entitled to redeem the mortgage :

It is hereby ordered and decreed that the mortgaged property in the aforesaid preliminary decree mentioned or a sufficient part thereof be sold and that for the purposes of such sale the defendant shall produce before the Court, or such officer as it appoints, all documents in his possession or power relating to the mortgaged property.

2. And it is hereby further ordered and decreed that the money realised by such sale shall be paid into Court and shall be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to the defendant under the aforesaid preliminary decree and under any further orders that may have been passed in this suit and in payment of any amount which the Court may have adjudged due to the defendant for such costs of this suit including the costs of this application and such costs, charges and expense as may be payable under rule 10, together with the subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, and that the balance, if any, shall be paid to the plaintiff or other persons entitled to receive the same.

Given under my hand and the seal of this Court, this (i)
day of 19 .

Judge.

Note.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

N.B.—In the printed form, a table of costs and notice to take back documents is appended, as in Form No. (J) 25 ante, for use, if required.

(i) Enter here the date of judgment.

FORM No. (J) 33 (II).

Final decree in a suit for foreclosure, sale or redemption where the mortgagor pays the amount of the decree.

[Or. 34, rr. 3 (I), 5 (I) and 8 (I), C. P. Code.]

District

In the Court of

at

Suit No.

of 19 .

Plaintiff,

versus

Defendant.-

Claim for

This suit coming on this day for further consideration and it appearing that on the day of the mortgagor or , the same being a person entitled to redeem, has paid into Court all amounts due to the mortgagee under the preliminary decree dated the day of .

It is hereby ordered and decreed that :—

- (i) the mortgagee do execute a deed of re-conveyance of the property in the aforesaid preliminary decree mentioned in favour of the mortgagor *(or as the case may be, who has redeemed the property) or an acknowledgment of the payment of the amount due in his favour ;
- (ii) the mortgagee do bring into Court all documents in his possession and power relating to the mortgaged property in the suit.

And it is hereby further ordered and decreed that, upon the mortgagee executing the deed of re-conveyance or acknowledgment in the manner aforesaid,—

- (i) the said sum of Rs. be paid out of Court to the mortgagee ;
- (ii) the said deeds and documents brought into the Court be delivered out of court to the mortgagor *(or the person making the payment) and the mortgagee do, when so required, concur in registering, at the cost of the mortgagor* (or other person making the payment), the said deed of re-conveyance or the acknowledgment in the office of the Sub-Registrar of ; and

* () Words not required may be deleted. .

(iii) *(if the mortgagee, plaintiff or defendant, as the case may be, is in possession of the mortgaged property) that the mortgagee do forthwith deliver possession of the mortgaged property in the aforesaid preliminary decree mentioned to the mortgagor (*or such person as aforesaid who has made the payment).

Given under my hand and the seal of this Court, this (i)
of 19 .

Judge.

Note.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

N.B.—In the printed form, a table of costs and notice to take back documents is appended, as in Form No. (J) 25 *ante*, for use, if required.

* [] Words not required may be deleted.

(i) Enter here the date of judgment.

Preliminary decree for foreclosure or sale.

District

In the Court of

at

Suit No. **of 19** .

Plaintiff

, 1st Mortgagee,

versus

Defendant No. 1

Mortgagor,

Defendant No. 2

2nd Mortgage.

The suit coming on this day, etc. ; It is hereby declared that
the amount due to the plaintiff on the mortgage mentioned in the plaint cal-
culated up to this day of is the sum of Rs.
for principal, the sum*of Rs. for interest on the said principal, the
sum of Rs. for costs, charges and expenses (other than the costs
of the suit) incurred by the plaintiff in respect of the mortgage-security with
interest thereon and the sum of Rs. for the costs of this suit awarded
to the plaintiff, making in all the sum of Rs.

Similar declarations to be introduced with regard to the amount due to defendant No. 2 in respect of his mortgage if the mortgage-money due thereunder has become payable at the date of the suit).

2. It is further declared that the plaintiff is entitled to payment of the amount due to him in priority to defendant No. 2* [or (if there are several subsequent mortgagees) that the several parties hereto are entitled in the following order to the payment of the sums due to them respectively :—]

3. And it is hereby ordered and decreed as follows :—

1. (i) (a) that defendants or one of them do pay into Court on or before the _____ day of _____ or any later date up to which time for payment has been extended by the Court the said sum of Rs. _____ due to the plaintiff, and

(b) that defendant No. 1 do pay into Court on or before the _____ day of _____ or any later date up to which time for payment has been extended by the Court the said sum of Rs. _____ due to defendant No. 2 ; and

[] Words not required to be deleted.

- (ii) that, on payment of the sum declared to be due to the plaintiff by defendants or either of them in the manner prescribed in clause (i) (a) and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the plaintiff shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the defendant No. (who has made the payment), or to such person as he appoints, and the plaintiff shall, if so required, re-convey or re-transfer the said property free from the said mortgage and clear of and from all incumbrances created by the plaintiff or any person claiming under him or any person under whom he claims, and also free from all liability whatsoever arising from the mortgage or this suit and shall, if so required, deliver up to the defendant No. (who has made the payment) quiet and peaceable possession of the said property.

(Similar declarations to be introduced, if defendant No. 1 pays the amount found or declared to be due to defendant No. 2 with such variations as may be necessary having regard to the nature of his mortgage.)

4. And it is hereby further ordered and decreed that, in default of payment as aforesaid of the amount due to the plaintiff, the plaintiff shall be at liberty to apply to the Court for a final decree—

- (i) *[in the case of a mortgage by conditional sale or an anomalous mortgage where the only remedy provided for in the mortgage-deed is foreclosure and not sale] that the defendants jointly and severally shall thenceforth stand absolutely debarred and foreclosed of and from all right to redeem the mortgaged property described in the Schedule annexed hereto and shall, if so required, deliver to the plaintiff quiet and peaceable possession of the said property ; or
- (ii) *[in the case of any other mortgage] that the mortgaged property or a sufficient part thereof shall be sold ; and that for the purposes of such sale the plaintiff shall produce before the Court or such officer as it appoints, all documents in his possession or power relating to the mortgaged property ; and

* [] Words not required to be deleted.

(iii) ***[in the case where a sale is ordered under clause 4 (ii) above] that the money realised by such sale shall be paid into Court and be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to the plaintiff under this decree and under any further orders that may have been passed in this suit and in payment of the amount which the Court may adjudge due to the plaintiff in respect of such costs of this suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, and that the balance, if any, shall be applied in payment of the amount due to defendant No. 2 ; and that if any balance be left, it shall be paid to the defendant No. 1 or other persons entitled to receive the same ; and**

(iv) that, if the money realised by such sale shall not be sufficient for payment in full of the amounts due to the plaintiff and defendant No. 2, the plaintiff or defendant No. 2 or both of them, as the case may be, shall be at liberty (when such remedy is open under the terms of their respective mortgages and is not barred by any law for the time being in force) to apply for a personal decree against defendant No. 1 for the amounts remaining due to them respectively.

5. And it is hereby further ordered and decreed—

(a) that if defendant No. 2 pays into Court to the credit of this suit the amount adjudged due to the plaintiff, but defendant No. 1 makes default in the payment of the said amount, defendant No. 2 shall be at liberty to apply to the Court to keep the plaintiff's mortgage alive for his benefit and to apply for a final decree (in the same manner as the plaintiff might have done under clause 4 above)—

***[(i) that defendant No. 1 shall thenceforth stand absolutely debarred and foreclosed of and from all right to redeem the mortgaged property described in the Schedule annexed hereto and shall, if so required, deliver up to defendant No. 2 quiet and peaceable possession of the said property :] or**

***[(ii) that the mortgaged property or a sufficient part thereof be sold and that for the purpose of such sale defendant No. 2 shall produce before the Court or such officer as it appoints, all documents in his possession or power relating to the mortgaged property ;] and**

(b) (if on the application of defendant No. 2 such a final decree for foreclosure is passed), that the whole of the liability of defendant No. 1 arising from the plaintiff's mortgage or from the mortgage of defendant No. 2 or from this suit shall be deemed to have been discharged and extinguished.

6. And it is hereby further ordered and decreed* [in the case where a sale is ordered under clause 5 above]—

(i) that the money realised by such sale shall be paid into Court and be duly applied (after deduction therefrom of the expenses of the sale) first in payment of the amount paid by defendant No. 2 in respect of the plaintiff's mortgage and the costs of the suit in connection therewith and in payment of the amount which the Court may adjudge due in respect of subsequent interest on the said amount ; and that the balance, if any, shall then be applied in payment of the amount adjudged due to defendant No. 2 in respect of his own mortgage under this decree and any further orders that may be passed and in payment of the amount which the Court may adjudge due in respect of such costs of this suit and such costs, charges and expenses as may be payable to defendant No. 2 under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, and that the balance, if any shall be paid to defendant No. 1 or other persons entitled to receive the same ; and

(ii) that, if the money realised by such sale shall not be sufficient for payment in full of the amount due in respect of the plaintiff's mortgage or defendant No. 2's mortgage, defendant No. 2 shall be at liberty where such remedy is open to him under the terms of his mortgage and is not barred by any law for the time being in force) to apply for a personal decree against defendant No. 1 for the amount of the balance.

7. And it is hereby further ordered and decreed that the parties are at liberty to apply to the Court from time to time as they may have occasion and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this (i) day
of 19 .

Judge.

*[] Words not required to be deleted.

Note.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

(i) Enter here the date of judgment.

Schedule.

Description of the mortgaged property.

N.B.—In the printed form, a table of costs and notice to take back documents is appended, as in Form No. (J) 25 *ante*, for use, if required.

FORM No. (J) 34.**Decree against mortgager personally.**

(Or. 34, rr. 6 and 8A, C. P. Code.)

District

In the Court of the

at

*Suit No.**of 19 .**Plaintiff,**versus**Defendant.***Claim for**

Upon reading the application of the mortgagee (the plaintiff or defendant, as the case may be) and reading the final decree passed in the suit on the _____ day of _____ and the Court being satisfied that the net proceeds of the sale held under the aforesaid final decree amounted to Rs. _____ and have been paid to the applicant out of the Court on the _____ day of _____ and that the balance now due to him under the aforesaid decree is Rs. _____ ;

And whereas it appears to the Court that the said sum is legally recoverable from the mortgagor (plaintiff or defendant, as the case may be) personally ;

It is ordered hereby and decreed as follows :—

That the mortgagor (plaintiff or defendant, as the case may be) do pay to the mortgagee (defendant or plaintiff, as the case may be) the said sum of Rs. _____ with further interest at the rate of six per cent. per annum from the _____ day of _____ (the date of payment out of Court referred to above) up to the date of realization of the said sum and the costs of this application.

Given under my hand and the seal of this Court, this*
day of _____ 19 .

Judge.

*Enter here the date of judgment.

Note.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

N.B.—In the printed form, a table of costs and notice to take back documents is appended, as in Form No. (J) 25 *ante*, for use, if required.

FORM No. (J) 35.

**Preliminary decree for redemption where on default of payment by mortgager
a decree for foreclosure is passed.**

(Where accounts are directed to be taken.)

[Or. 34, r. 7 (1) (a), C. P. Code.]

District

In the Court of the

at

Suit No. of 19 .

Plaintiff,

versus

Defendant.

Claim for

This suit coming on this day of 19 for hearing
before and in the presence of
for the plaintiff and for the defendant ;
it is hereby ordered and decreed that it be referred to
as the Commissioner to take the accounts following :—

- (i) an account of what is due on this date to the defendant for principal and interest on the mortgage mentioned in the plaint (such interest to be computed at the rate payable on the principal or where no such rate is fixed, at six per cent. per annum or at such rate as the Court deems reasonable) ;
- (ii) an account of the income of the mortgaged property received up to this date by the defendant or by any other person by order or for the use of the defendant or which without the wilful default of the defendant or such person might have been so received ;
- (iii) an account of all sums of money properly incurred by the defendant up to this date for costs, charges and expenses (other than the costs of the suit) in respect of the mortgage-security together with interest thereon (such interest to be computed at the rate agreed between the parties, or, failing such rate, at the same rate as is payable on the principal, or failing both such rates, at nine per cent. per annum) ;

(iv) an account of any loss or damage caused to the mortgaged property before this date by any act or omission of the defendant which is destructive of, or permanently injurious to, to the property or by his failure to perform any of the duties imposed upon him by any law for the time being in force or by the terms of the mortgage-deed.

2. It is hereby further ordered and decreed that any amount received under clause (ii) or adjudged due under clause (iv) above, together with interest thereon, shall be adjusted against any sums paid by the defendant under clause (iii) together with interest thereon, and the balance, if any, shall be added to the mortgage-money or, as the case may be, debited in reduction of the amount due to the defendant on account of interest on the principal sum adjudged due and thereafter in reduction or discharge of the principal.

3. And it is hereby further ordered that the said Commissioner shall present the account to this Court with all convenient despatch after making all just allowances on or before the day of , and that upon such report of the Commissioner being received, it shall be confirmed and countersigned, subject to such modification as may be necessary after consideration of such objections as the parties to the suit may make.

4. And it is hereby further ordered and decreed—

(i) that the plaintiff do pay into Court on or before the day of , or any later date up to which time for payment may be extended by the Court such sum as the Court shall find due and the sum of Rs. for the costs of the suit awarded to the defendant ;

(ii) that, on such payment, and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the defendant shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the plaintiff, or to such person as he appoints, and the defendant shall, if so required, re-convey or re-transfer the said property free from the said mortgage and clear of and from all incumbrances created by the defendant or any person claiming under him or any person under

whom he claims and free from all liability whatsoever arising from the mortgage or this suit and shall, if so required, deliver up to the plaintiff quiet and peaceable possession of the said property.

5. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the defendant shall be at liberty to apply to the Court for a final decree that the plaintiff shall thenceforth stand absolutely debarred and foreclosed of and from all right to redeem the mortgaged property described in the Schedule annexed hereto and shall, if so required, deliver up to the defendant quiet and peaceable possession of the said property; and that the parties shall be at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this*
day of 19 .

Judge.

* Enter here the date of judgment.

NOTE.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient or conspicuous place and he should initial the corrections or alterations, if any.

Schedule.

Description of the mortgaged property.

N.B.—In the printed form, a table of costs and notice to take back documents is appended, as in Form No. (J) 25 *ante*, for use, if required.

(Where accounts are directed to be taken.)

[Or. 34, r. 7 (1) (a), C. P. Code.]

District

In the Court of the

at.

Suit No. of 19

Plaintiff,

versus

Defendant.

Claim for

This suit coming on this day of 19 for hearing
before and in the presence of
for the plaintiff and for the defendant ;
it is hereby ordered and decreed that it be referred to
as the Commissioner to take the accounts following :—

- (i) an account of what is due on this date to the defendant for principal and interest on the mortgage mentioned in the plaint (such interest to be computed at the rate payable on the principal or where no such rate is fixed, at six per cent. per annum or at such rate as the Court deems reasonable) ;
- (ii) an account of the income of the mortgaged property received up to this date by the defendant or by any other person by the order or for the use of the defendant or which without the wilful default of the defendant or such person might have been so received ;
- (iii) an account of all sums of money properly incurred by the defendant up to this date for costs, charges and expenses (other than the costs of the suit) in respect of the mortgage-security together with interest thereon (such interest to be computed at the rate agreed between the parties, or, failing such rate, at the same rate as is payable on the principal, or failing both such rates, at nine per cent. per annum) ;

(iv) an account of any loss or damage caused to the mortgaged property before this date by any act or omission of the defendant which is destructive of, or permanently injurious to, to the property or by his failure to perform any of the duties imposed upon him by any law for the time being in force or by the terms of the mortgage-deed.

2. And it is hereby further ordered and decreed that any amount received under clause (ii) or adjudged due under clause (iv) above, together with interest thereon, shall first be adjudged against any sums paid by the defendant under clause (iii) together with interest thereon, and the balance, if any, shall be added to the mortgage-money or, as the case may be, be debited in reduction of the amount due to the defendant on account of interest on the principal sum adjudged due and thereafter in reduction or discharge of the principal.

3. And it is hereby further ordered that the said Commissioner shall present the account to this Court with all convenient despatch after making all just allowances on or before the day of , and that upon such report of the Commissioner being received, it shall be confirmed and countersigned, subject to such modification as may be necessary after consideration of such objections as the parties to the suit may make.

4. And it is hereby further ordered and decreed—

(i) that the plaintiff do pay into Court on or before the day of , or any later date up to which time for payment may be extended by the Court such sum as the Court shall find due and the sum of Rs. for the costs of the suit awarded to the defendant ;

(ii) that, on such payment, and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the defendant shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the plaintiff, or to such person as he appoints, and the defendant shall, if so required, re-convey or re-transfer the said property free from the said mortgage and clear of and from all incumbrances created by the defendant or any person claiming under him or any person under whom he claims and shall, if so required, deliver up to the plaintiff quiet and peaceable possession of the said property.

5. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the defendant may apply to the Court for a final decree for the sale of the mortgaged property ; and on such application being made, the mortgaged property or a sufficient part thereof shall be directed to be sold ; and for the purposes of such sale the defendant shall produce before the Court or such officer as it appoints, all documents in his possession or power relating to the mortgaged property.

6. And it is hereby further ordered and decreed that the money realised by such sale shall be paid into Court and shall be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to the defendant under this decree and under any further orders that may be passed in this suit and in payment of any amount which the Court may adjudge due to the defendant in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, and that the balance, if any, shall be paid to the plaintiff or other persons entitled to receive the same.

7. And it is hereby further ordered and decreed that, if the money realised by such sale shall not be sufficient for payment in full of the amount payable to the defendant as aforesaid, the defendant shall be at liberty (where such remedy is open to him under the terms of his mortgage and is not barred by any law for the time being in force) to apply for a personal decree against the plaintiff for the amount of the balance ; and that the parties are at liberty to apply to the Court from time to time as they may have occasion ; and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this*
day of 19 .

Judge.

*Enter here the date of judgment

NOTE.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

Schedule.

Description of the mortgaged property.

N.B.—In the printed form, a table of costs and notice to take back documents is appended, as in Form No. (J) 25 ante, for use, if required.

FORM No. (J) 35 (II).

Preliminary decree for redemption where on default of payment by mortgagor a decree for foreclosure is passed.

(Where the Court declares the amount due.)

[Or. 34, r. 7 (1) (b), C. P. Code.]

District

In the Court of the

at

Suit No. of 19

Plaintiff,

versus

Defendant.

Claim for

This suit coming on this day of 19 for hearing before and in the presence of for the plaintiff and for the defendant ; it is hereby declared that the amount due to the defendant on the mortgage mentioned in the plaint calculated up to this day of is the sum of Rs. for principal, the sum of Rs. for interest on the said principal, the sum of Rs. for costs, charges and expenses (other than the costs of the suit) properly incurred by the defendant in respect of the mortgage-security together with interest thereon, and the sum of Rs. for the costs of the suit awarded to the defendant, making in all the sum of Rs.

2. And it is hereby ordered and decreed as follows :—

- (i) that the plaintiff do pay into Court on or before the day of or any later date up to which time for payment may be extended by the Court the said sum of Rs. ;
- (ii) that, on such payment and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the defendant shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned,

and all such documents shall be delivered over to the plaintiff, or to such person as he appoints, and the defendant shall, if so required, re-convey or re-transfer the said property free from the said mortgage and clear of and from all incumbrances created by the defendant or any person claiming under him or any person under whom he claims, and free from all liability whatsoever arising from the mortgage or this suit and shall, if so required, deliver up to the plaintiff quiet and peaceable possession of the said property.

3. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the defendant may apply to the Court for a final decree that the plaintiff shall thenceforth stand absolutely debarred and foreclosed of and from all right to redeem the mortgaged property described in the Schedule annexed hereto and shall, if so required, deliver up to the defendant quiet and peaceable possession of the said property; and that the parties shall be at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such direction as it thinks fit.

Given under my hand and the seal of this Court, this*
day of 19 .

Judge.

*Enter here the date of judgment.

NOTE.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

Schedule.

Description of the mortgaged property.

N.B.—In the printed form, a table of costs and notice to take back documents is appended, as in Form No. (J) 25, *ante*, for use, if required.

FORM No. (J) 35(III).

Preliminary decree for redemption where on default of payment by mortgagor a decree for sale is passed.

(Where the Court declares the amount due.)

[Or. 34, r. 7(1)(b), C. P. Code.]

District

In the Court of the

at

Suit No. of 19

Plaintiff,

versus

Defendant.

Claim for

This suit coming on this day of 19 for hearing before and in presence of for the plaintiff and for the defendant; it is hereby declared that the amount due to the defendant on the mortgage mentioned in the plaint calculated up to this day of is the sum of Rs. for principal, the sum of Rs. for interest on the said principal, the sum of Rs. for costs, charges and expenses (other than the costs of the suit) properly incurred by the defendant in respect of the mortgage-security together with interest thereon, and the sum of Rs. for the costs of this suit awarded to the defendant, making in all the sum of Rs.

2. And it is hereby ordered and decreed as follows :—

- (i) that the plaintiff do pay into Court on or before the day of or any later date up to which time the payment may be extended by the Court the said sum of Rs. ;
- (ii) that, on such payment and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10 together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the defendant shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint

mentioned, and all such documents shall be delivered over to the plaintiff, or to such person as he appoints, and the defendant shall, if so required, re-convey or re-transfer the said property free from the said mortgage and clear off and from all incumbrances created by the defendant or any person claiming under him or any person under whom he claims, and free from all liability whatsoever arising from the mortgage of this suit and shall, if so required, deliver up to the plaintiff quiet and peaceable possession of the said property.

3. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the defendant may apply to the Court for a final decree for the sale of the mortgaged property; and on such application being made, the mortgaged property or a sufficient part thereof shall be directed to be sold; and for the purposes of such sale the defendant shall produce before the Court or such officer as it appoints all documents in his possession or power relating to the mortgaged property.

4. And it is hereby further ordered and decreed that the money realised by such sale shall be paid into Court and shall be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to the defendant under this decree and under any further orders that may be passed in this suit and in payment of any amount which the Court may adjudge due to the defendant in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908 and that the balance, if any, shall be paid to the plaintiff or other persons entitled to the same.

5. And it is hereby further ordered and decreed that, if the money realised by such sale shall not be sufficient for the payment in full of the amount payable to the defendant as aforesaid, the defendant shall be at liberty (where such remedy is open to him under the terms of the mortgage and is not barred by any law for the time being in force) to apply for a personal decree against the plaintiff for the amount of the balance; and that the parties are at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this*
day of 19 .

Judge.

* Enter here the date of judgment.

Note.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

Schedule.

Description of the mortgaged property.

N.B.—In the printed form, a table of costs and notice to take back documents is appended, as in Form No. (J) 25 *ante*, for use, if required.

FORM No. (J) 35 (iv).

Preliminary decree for redemption of prior mortgage and foreclosure or sale on subsequent mortgage.

[Or. 34, rr. 2(3) and 4 (4), C. P. Code.]

District

In the Court of

at

Suit No. of 19 .

Plaintiff

, 2nd Mortgagee,

versus

Defendant No. 1

, Mortgagor.

Defendant No. 2

, 1st Mortgagee.

The suit coming on this day, etc. ; It is hereby declared that the amount due to defendant No. 2 on the mortgage mentioned in the plaint calculated up to this day of is the sum of Rs. for principal, the sum of Rs. for interest on the said principal, the sum of Rs. for costs charges and expenses (other than the costs of the suit) properly incurred by defendant No. 2 in respect of the mortgage-security with interest thereon and the sum of Rs. for the costs of this suit awarded to defendant No. 2 making in all the sum of Rs.

(Similar declarations to be introduced with regard to the amount due from defendant No. 1 to the plaintiff in respect of his mortgage if the mortgage-money due thereunder has become payable at the date of the suit.)

2. It is further declared that defendant No. 2 is entitled to payment of the amount due to him in priority to the plaintiff* [or (if there are several subsequent mortgagees) that the several parties hereto are entitled in the following order to the payment of the sums due to them respectively :—]

3. And it is hereby ordered and decreed as follows :—

(i) (a) that the plaintiff or defendant No. 1 or one of them do pay into Court on or before the day of or any later date up to which time for payment has been extended by the Court the said sum of Rs. due to defendant No. 2 ; and

• • * [] Words not required to be deleted.

(b) that defendant No. 1 do pay into Court on or before the day of or any later date up to which time for payment has been extended by the Court the said sum of Rs. due to the plaintiff ; and

(ii) that, on payment of the sum declared due to defendant No. 2 by the plaintiff and defendant No. 1 or either of them in the manner prescribed in clause (i) (a) and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11 of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, defendant No. 2 shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the plaintiff or defendant No. 1 (whoever has made the payment) or to such person as he appoints, and defendant No. 2 shall, if so required re-convey or retransfer the said property free from the said mortgage and clear off and from all incumbrances created by defendant No. 2 or any person claiming under him or any person under whom he claims, and also free from all liability whatsoever arising from the mortgage or this suit and shall, if so required, deliver up to the plaintiff or defendant No. 1 (whoever has made the payment) quiet and peaceable possession of the said property.

(Similar declarations to be introduced, if defendant No. 1 pays the amount found or declared due to the plaintiff with such variations as may be necessary having regard to the nature of his mortgage.)

4. And it is hereby further ordered and decreed that, in default of payment as aforesaid, of the amount due to defendant No. 2, defendant No. 2 shall be at liberty to apply to the Court that the suit be dismissed or for a final decree.

(i) *[In the case of a mortgage by conditional sale or an anomalous mortgage where the only remedy provided for in the mortgage-deed is foreclosure and not sale] that the plaintiff and defendant No. 1 jointly and severally shall thenceforth stand absolutely debarred and foreclosed of and from all right to redeem the mortgaged property described in the Schedule annexed hereto and shall, if so required, deliver to the defendant No. 2 quiet and peaceable possession of the said property ; or

(ii) *[in the case of any other mortgage] that the mortgaged property or a sufficient part thereof shall be sold ; and that for the purposes of such sale defendant No. 2 shall produce before the Court or such officer as it appoints, all documents in his possession or power relating to the mortgaged property ; and

(iii) *[in the case where a sale is ordered under clause 4 (ii) above] that the money realised by such sale shall be paid into Court and be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to defendant No. 2 under the decree and any further orders that may be passed in this suit and in payment of the amount which the Court may adjudge due to defendant No. 2 in respect of such costs of the suit and such costs, charges and expenses as may be payable to the plaintiff under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908 ; and that the balance, if any, shall be applied in payment of the amount due to the plaintiff and that if any balance be left, it shall be paid to defendant No. 1 or other persons entitled to receive the same ; and

(iv) that, if the money realised by such sale shall not be sufficient for payment in full of the amounts due to defendant No. 2 and the plaintiff, defendant No. 2 or the plaintiff or both of them, as the case may be, shall be at liberty (when such remedy is open under the terms of their respective mortgages and is not barred by any law for the time being in force) to apply for a personal decree against defendant No. 1 for the amounts remaining due to them respectively.

5. And it is hereby further ordered and decreed—

(a) that, if the plaintiff pays into Court to the credit of this suit the amount adjudged due to defendant No. 2 but defendant No. 1 makes default in the payment of the said amount, the plaintiff shall be at liberty to apply to the Court to keep defendant No. 2's mortgage alive for his benefit and to apply for a final decree (in the same manner as the defendant No. 2 might have done under clause 4 above)—

*[(i) that defendant No. 1 shall thenceforth stand absolutely debarred and foreclosed of and from all right to redeem the mortgaged property described in the Schedule annexed hereto and shall, if so required, deliver up to the plaintiff quiet and peaceable possession of the said property ;] or

*[(ii) that the mortgaged property or a sufficient part thereof be sold and that for the purposes of such sale the plaintiff shall produce before the Court or such officer as it appoints, all documents in his possession or power relating to the mortgaged property ;] and

(b) (if on the application of defendant No. 2 such a final decree for foreclosure is passed), that the whole of the liability of defendant No. 1 arising from the plaintiff's mortgage or from the mortgage of defendant No. 2 or from this suit shall be deemed to have been discharged and extinguished.

*[] Words not required to be deleted.;

6. And it is hereby further ordered and decreed (in the case where a sale is ordered under clause 5 above)

(i) that the money realised by such sale shall be paid into Court and be duly applied (after deduction therefrom of the expenses of the sale) first in payment of the amount paid by the plaintiff in respect of defendant No. 2's mortgage and the costs of the suit in connection therewith and in payment of the amount which the Court may adjudge due in respect of subsequent interest on the said amount ; and that the balance, if any, shall then be applied in payment of the amount adjudged due to the plaintiff in respect of his own mortgage under this decree and any further orders that may be passed and in payment of the amount which the Court may adjudge due in respect of such cost of the suit and such costs, charges and expenses as may be payable to the plaintiff under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure 1908, and that the balance, if any, shall be paid to defendant No. 1 or other persons, entitled to receive the same ; and

(ii) that, if the money realised by such sale shall not be sufficient for payment in full of the amount due in respect of defendant No. 2's mortgage or the plaintiff's mortgage, defendant No. 2 shall be at liberty (where such remedy is open to him under the terms of his mortgage and is not barred by any law for the time being in force) to apply for a personal decree against defendant No. 1 for the amount of the balance.

7. And it is hereby further ordered and decreed that the parties are at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this (i) day
of 19 .

Judge.

Note.—The date, month and year of signing the decree should be entered by the Presiding Officer under his signature or in any other convenient and conspicuous place and he should initial the corrections or alterations, if any.

(i) Enter here the date of judgment.

Schedule:

Description of the mortgaged property.

N.B.—In the printed form a table of costs and notice to take back documents is appended, as in Form No. (J) 25, *ante*, for use, if required.

FORM No. (J) 36.**Commission to examine absent witness.**

(Or. 26, rr. 4, 18, C. P. Code.)

District

In the Court of

at

No. of 19 .

of

versus

Whereas the evidence of _____ is required by
 the _____ in the above suit ; and whereas
 _____ ; you are requested to take the evidence on
 interrogatories [or *viva voce*] of such witness

and you are hereby appointed a Commissioner for that
 purpose. The evidence will be taken in the presence of the parties or their
 agents if in attendance, who will be at liberty to question the witness on the
 points specified, and you are further requested to make return of such evidence
 so soon as it may be taken. Process to compel the attendance of the witness
 will be issued by any Court having jurisdiction on your application.

A sum of Rs. _____, being your fee in the above, has been paid into
 court/is herewith forwarded. .

Given under my hand and the seal of the Court, this
 day of _____ 19 .

Judge.

Note.—The special attention of the Commissioner is drawn to rule 295 of the
 Civil Rules and Orders, Vol. I.

FORM No. (J) 37.**Commission for a local investigation, or to examine accounts.**

[Or. 26, rr. 9, 11, C. P. Code.]

District

In the Court of _____ at _____

No. _____ of 19 ____ .

of _____

*versus*of _____
.**To**

Whereas it is deemed requisite, for the purposes of this suit, that a commission for _____ should be issued ; You are hereby appointed Commissioner for the purpose of _____

Process to compel the attendance before you of any witnesses, or for the production of any documents whom or which you may desire to examine or inspect will be issued by any Court having jurisdiction on your application.

A sum of Rs. _____, being your fee in the above has been paid into court/is herewith forwarded.

Given under my hand and the seal of the Court, this
day of _____ 19 ____ .

Judge.

FORM No. (J) 38.

Proceedings in connection with the issue of commissions.

(Or. 26, r 9, C. P. Code.)

No.

In the Court of

(Civil Jurisdiction.)

PRESENT :

No. of 19 .

versus

Whereas it has been found necessary to order a local investigation in this case under the provisions of Order XXVI, r. 9, of the Code of Civil Procedure the following order is issued in accordance with the instructions contained in rule 313, Volume I of the High Court's Civil Rules and Orders, :—

1. This enquiry is directed by the Court ¹

2. The suit before this Court is for

3. The^a alleges, *inter alia*, that

and the^a contends that

4. The point which requires to be elucidated and ascertained with the help of the local investigation is *

¹*Proprio motu*, or upon the application of the parties, or under the orders of the Appellate Court.

^aPlaintiff or decree-holder.

^aDefendant or judgment-debtor.

* (State here the points, to be determined in the case by the Court).

*This form has been retained, notwithstanding the inclusion of Form 9, Appendix H, Civil Procedure Code, reproduced as Form No. (J) 37, because it may be found to be more suitable in some cases.

5. The point in dispute cannot, in the opinion of the Court, be determined in the ordinary way at the trial, inasmuch as

It is, therefore, ordered that a commission do issue to
for the purpose of an enquiry into this matter.

6. The Commissioner thus appointed is directed and instructed.*

He will not enquire into any other point at the request of the parties without the written order of the court previously obtained. He will exercise all the powers conferred by Or. 26, rr. 16 and 17, of the C. P. Code, subject only to the restriction, viz.:—

7. The Commissioner is directed to submit his report, together with the evidence, if any, recorded by him, and any other papers forming the record of his enquiry on or before the—

8. The parties are directed to appear before the Commissioner hereby appointed.

9. The sum of Rs. _____ for travelling allowance and of Rs. _____ for _____ days' enquiry/remuneration have been paid into Court. Should this prove insufficient, the Commissioner should give timely notice† to the party for depositing additional expenses for such further period as may be necessary to complete the work, and report the fact forthwith to the Court and should suspend the investigation at the close of the period originally fixed until the receipt of certificate that necessary payment has been made into Court, or until the receipt of further directions.

*Here the Judge should define categorically the points of enquiry by the Commissioner and give elaborate and precise directions as to how it should be conducted. If maps are to be relaid or made use of, their names should be given. See also, rule 314, Civil Rules and Orders, Vol. I.

†See rule 710, Civil Rules and Orders, Vol. I.

Signature

Office

Date

FORM No. (J) 39.**Commission to make partition.**

(Or. 26, r. 13, C. P. Code.)

District

In the Court of _____ at _____

*Suit No. _____ of 19 .**Plaintiff,**versus**Defendant.*

Whereas it is deemed requisite for the purposes of this suit that a commission should be issued to make the partition or separation of the property specified in, and according to the rights as declared in, the decree of this Court, dated the

_____ day of _____ 19 ; You are hereby appointed Commissioner for the said purpose and are directed to make such inquiry as may be necessary, to divide the said property according to the best of your skill and judgment in the shares set out in the said decree, and to allot such shares to the several parties. You are hereby authorised to award sums to be paid to any party by any other party for the purpose of equalizing the value of the shares.

Process to compel the attendance before you of any witness, or for the production of any documents whom or which you may desire to examine or inspect will be issued by any Court having jurisdiction on your application.

A sum of Rs. _____ being your fee in the above, has been paid into court/is herewith forwarded.

Given under my hand and the seal of the Court, this
day of _____ 19 .

Judge.

FORM No. (J) 40.**Decree on appeal.**

(Or. 41, r. 35, C. P. Code.)

District

In the Court of _____ at _____

*Appellant,**versus**Respondent.*Appeal No. _____ of 19 _____, from the
of the Court of _____

dated the _____ day of _____ 19 _____.

This appeal coming on for hearing on the

_____ day of _____ 19 _____, before

_____, in the

presence of _____

for the

Appellant, and of _____

for the Respondent, it is ordered—*

The costs of this appeal, as detailed below, amounting to Rs.
are to be paid by _____The costs of the original suit are
to be paid by _____Given under my hand, this _____ day of _____
19 _____.* *Judge.**Here specify clearly the relief granted or other adjudication made. See rule 178 Civil
Rules and Orders, Vol. I.

Cost of appeal.

| Appellant. | Amount. | | | Respondent. | Amount. | | |
|-----------------------------------|---------|----|----|--------------------------|---------|----|----|
| | Rs. | a. | p. | | Rs. | a. | p. |
| 1. Stamp for memorandum of appeal | | | | Stamp for power .. | | | |
| 2. Do. for power .. | | | | Do. for petition .. | | | |
| 3. Service of process | | | | Service of processes .. | | | |
| 4. Pleader's fees on Rs. | | | | Pleader's fees on Rs. .. | | | |
| 5. Other costs .. | | | | Other costs .. | | | |
| Total .. | | | | Total .. | | | |

The parties should apply as soon as possible for the return of all exhibits which they may wish to preserve as they will be destroyed at the time prescribed by the High Court (Rule 557 *et seq* Civil Rules and Orders, Vol. I.)

Signature of Judge.

Dated .

FORM No. (J) 41.**Memorandum of appeal.**

(Or. 41, r. 1, C. P. Code.)

District**In the Court of****at***Appellant,**Respondent.***The****above-named****appeals to the****Court at****from the decree of****in suit No. of 19 ,****dated****the****day of****19 , and sets forth the****following grounds of objection to the decree appealed from, namely :—**

FORM No. (J) 42.**Report to High Court of service of notice on respondent in special appeal.**

(Or. 41, r. 4, C. P. Code.)

District

In the Court of the

Judge of

Appeal from

No.

of 19 .

of Appeal from the

of the Court of the

dated the

of 19 .

*Appellant,**versus**Respondent.*

Read a proceeding from the Deputy Registrar of the High Court, dated the _____ of _____ 19 , forwarding notice of this appeal for service on the respondent within _____ weeks, and the Nazir's endorsement on the back of the process stating that the notice has been duly served, and proof of the service having been duly taken by me on the (oath or) affirmation of _____, the serving officer, and _____, the agent of the appellant who attended to point out the respondent. It is ordered that the said notice be returned to the High Court together with the papers connected therewith, and a copy of this Proceeding.

*Dated at**the**day of**19 .**Judge.*

Note.—The attention of judicial officers is drawn to the procedure prescribed by Or. 5, r. 19, for the examination of the serving officer in the event of a summons (or notice) being returned unserved. [See also Or. 41, r. 14(1).]

FORM No. (J) 43.**Order sending decree for execution to another court.**

(Or. 21, r. 6, C. P. Code.)

District**In the Court of****at****No.****of 19 .****of*****Plaintiff,******versus*****of*****Defendant***

Whereas the decree-holder in the above suit has applied to this Court
for a certificate to be sent to the Court of _____ at

_____ for execution of the decree in the above suit by the said
Court, alleging that the judgment-debtor resides or has property within the
local limits of the jurisdiction of the said Court, and it is deemed necessary
and proper to send a certificate to the said Court under Order XXI, Rule 6,
of the Code of Civil Procedure, 1908 ;

It is ordered that a copy of this order be sent to
with a copy of the decree and of any order which may have been made for
execution of the same and a certificate of non-satisfaction.

Dated the***day of******19******• Judge.***

FORM No. (J) 44.

Certificate of execution of decree transferred to another court.

(Or. 21, r. 6, C. P. Code.)

District

In the Court of

at

[illegible]

Signature of Judge.

Signature of Muharrir in charge.

Note.—This form may also be used for certificates under section 41 of the Code, (C. O. No. 7 of 1914).

FORM No. (J) 45.**Letter transmitting decree for execution in another court.**

(Sec. 39, C. P. Code.)

*No.***Form***Judge of**Dated the* *19* .**Sir,**

Under Order XXI, rule 6 of the Code of Civil Procedure, I have the honour to send you, for execution by the

| | | |
|---------------|-------|--|
| No. of 19 | Court | a copy of the decree |
| • of | | made in the suit noted in the margin, together |
| | | with the certificate of non-satisfaction, and copy |
| | | of the order for execution of the decree* made by |
| <i>versus</i> | the | |

and further certificate required by sub-rule (c)* of the said rule.

2. It is requested that the result of the proceedings taken hereon may be certified, as required by Section 41, as soon as they are brought to a close.

I have the honour to be,

• Sir,

Your most obedient servant,

Judge.

*One or other of these to be struck through with a pen.
N. B.—See, rule 266, Civil Rules and Orders, Vol. I.

'¹If partial, strike out "no" and state to what extent.

(Or. 21, r. 11, C. P. Code.)

at

| No. of suit. | Name
of parties. |
|---|--|
| 789 of 1897. | A. B.—Plaintiff.

C. D.—Defendant.

October 11th, 1897. |
| 1 | Names of parties. |
| 2 | Plaintiffs. |
| 3 | Defendants. |
| 4 | Date of decree. |
| 5 | Whether any appeal preferred from decree. |
| 6 | Payment or adjustment made (if any) with date. |
| 7 | Previous Application(s), (if any) with date(s) and result. |
| 8 | Amount with interest (if any) due upon the decree or other relief granted thereby together with particulars or any cross decree. |
| 9 | Amount of costs, if any, awarded. |
| 10 | Name(s) of person(s) against whom execution is sought. |
| 11 | Befile prayed. |
| Mode in which the assistance of the Court is required. | |
| The plaintiff prays that in order to realise the principal, interest and costs of suit making in all the sum of Rs.....as..... (together with interest on the principal sum up-to-date of payment) and the costs of taking out this execution :—
(1) (a) the movable property of and in the possession of the said defendant C. D. on his house situate at as described in the inventory hereto may be attached under Or. 21, r. 43 and may be sold by the Court; or
(b) the movable property of the said defendant C.D. in the possession of G.H. of (address and description) at , and described in the inventory hereto may be attached under Or. 21, r. 46 and may be sold by the Court; or
(c) a warrant may be issued for the arrest of the said defendant C.D.; or
(d) the interest of the said defendant C.D. in the immovable properties described in the schedule hereto may be attached under Or. 21, r. 54 and may be sold.
(e) that notice may be issued to the persons named in column here-of to show cause why the said decree should not be executed against them in the manner aforesaid.
(f) (as the legal representative of C.D. the defendant abovesnamed, who died on the day of in respect of the above-mentioned property, being assets of the said deceased in their hands.) | |

Schedule of immovable property.

| Serial No. | Description of property. | Interest of Judgment-debtor. | Incumbrances. |
|------------|---|------------------------------|--|
| | (Set out full particulars, area, survey numbers, nature of land, character of tenancy or holding, market value, etc., etc.) | | (In addition to full particulars of mortgage or charge, or other incumbrances set out particulars of any leases or agreements, etc.) |

Inventory of movable property.

| Serial No. | Description of property and value. | Interest of Judgment-debtor. | Incumbrances or claims. |
|------------|------------------------------------|------------------------------|-------------------------|
| | | | |

I declare that what is stated herein is true to the best of my knowledge and belief.

Signed

Dated the day of 19 .

Decree-holder.

FORM No. (J) 48.**Certificate to judgment-debtor authorizing him to mortgage, lease, or sell property.**

(Or. 21, r. 83, C. P. Code.)

District**In the Court of****at***Suit No. of 19 .**Plaintiff,**versus**Defendant.*

Whereas in execution of the decree passed in the above suit an order was made on the day of 19 , for the sale of the under-mentioned property of the judgment-debtor and whereas the Court has, on the application of the said judgment-debtor, postponed the said sale to enable him to raise the amount of the decree by mortgage, lease, or private sale of the said property or of some part thereof :

This is to certify that the Court doth hereby authorize the said judgment-debtor to make the proposed mortgage, lease or sale within a period of from the date of this certificate ; provided that all monies payable under such mortgage, lease, or sale shall be paid into this Court and not to the said judgment-debtor.

*Description of property.***Given under my hand and the seal of the Court, this****day of 19 .***Judge.*

FORM No. (J) 49.

Precept.

(Sec. 46, C. P. Code.)

District

In the Court of **at**

Suit No. **of 19** . / **Execution case No.** **of 19** .

Plaintiff,

versus.

Defendant.

Upon hearing the decree-holder it is ordered that this precept be sent to the Court of _____ at _____ under Section 46 of the Code of Civil Procedure, 1908, with directions to attach the property specified in the annexed schedule and to hold the same pending any application which may be made by the decree-holder for execution of the decree.

Judge.

Dated the day of 19 .

Schedule.

FORM No. (J) 50.**Application by judgment-debtor to set aside sale on deposit of debt.**

(Or. 21, r. 89, C. P. Code.)

District**In the Court of****at***Suit No. of 19 .**Plaintiff,**versus**Defendant.*

The above-named defendant applies under Order XXI, Rule 89 of the Code of Civil Procedure, as follows :—

1. That he having paid into Court the sum of Rs. being five per cent. of the purchase money of his property sold at the Court sale held on the day of , and also the sum of Rs. being the amount specified in the proclamation of the said sale as that for the recovery of which the said sale was ordered, less the sum of Rs. which has been received by the decree-holder since the date of such proclamation of sale, the Court may be pleased to order that the said sale be set aside, and that satisfaction of the decree bearing date the day of , be entered up for the said sum of Rs.

Notice of this application was given to the parties on the day of 19 , and to the purchaser on the day of 19 .

• • (Signed.)

FORM No. (J) 51.**Order confirming sale of land, etc.**

(Or. 21, r. 92, C. P. Code.)

District

In the Court of _____ at _____

Suit No. _____ of 19 ____ .

of _____

versus. _____

of _____

Whereas the right, title, and interest of _____

in the following¹ _____ was on the _____
 day of _____ 19 __, sold by the Bailiff of this Court in execution
 of the decree in this suit ; and whereas _____ days have elapsed and²
 _____ ; it is ordered that the
 said sale be, and the said sale is, hereby confirmed.

Given under my hand and the seal of the Court, this
 day of _____ 19 __ .

*Judge.*¹" Land " " immovable property."²Here state that no application to set aside the sale has been made, or, that (if made), it has been disallowed.**Schedule.**

FORM No. (J) 53.

Grant of probate of will (1)

(Sec. 289 of the Indian Succession Act, 1925.)

I

, (1)

hereby make known that on the day of
in the year , the last Will of

, late of

a copy whereof is hereunto annexed, was proved and registered before me,
and that administration of the property and credits of the said deceased, and
in any way concerning his Will, was

granted to

the executor in the said Will named, he having undertaken to administer the
same, and to make a full and true inventory of the said property and credits
and exhibit the same in this court within six months from the date of this
grant or within such further time as the Court may from time to time appoint
and also to render to this Court a true account of the said property and
credits within one year from the same date or within such further time as the
Court may from time to time appoint.

Granted this day of in the year
under the seal of the Court.

Judge or District Delegate.

(1) Judge of the district of , [or Delegate appointed for granting Probate
or Letters of Administration in (here insert the limits of the Delegate's jurisdiction)].

FORM No. (J) 54.

Grant of letters of administration to the estate of a deceased person. (1)

(Sec. 90 of the Indian Succession Act, 1925.)

I, _____, (1)
 hereby make known that on the _____ day of _____
 in the year _____, Letters of
 Administration, (2) _____ the Will annexed of the property
 and credits of _____, late
 of _____
 deceased, were granted to
 the (3) _____
 of the deceased _____ (4) having undertaken to administer
 the same, and to make a full and true inventory of the said property and credits
 and exhibits the same in this Court within six months from the date of this
 grant or within such further time as the Court may from time to time appoint,
 and also to render to this Court a true account of the said property and credits
 within one year from the same date or within such further time as the Court
 may from time to time appoint.

Granted this _____ day of _____ in the year _____
 under the seal of this Court.

Judge or District Delegate.

(1) Judge of the District of _____ [or Delegate appointed for granting Probate
 or Letters of Administration in (here insert the limits of the Delegate's jurisdiction)].

(2) With or without as the case may be.

(3) Father or as the case may be.

(4) He, or as the case may be.

FORM No. (J) 55.**Succession Certificate.**

(Sec. 377 of the Indian Succession Act, 1925.)

In the Court of

To

Whereas you applied on the _____ day of _____ for a certificate under Part I of Indian Succession Act, 1925, in the matter of the estate of _____ deceased, in respect of the following debts and securities, namely :—

Debts.

| Serial number. | Name of debtor. | Amount of debt, including interest on date of application for certificate. | Description and date of instruments, if any, by which the debt is secured. |
|----------------|-----------------|--|--|
| 1 | 2 | 3 | 4 |
| | | | |

Securities.

| Description. | | | Amount or part value of security. | Market value of security on date of application for certificate. |
|----------------|--|------------------------------------|-----------------------------------|--|
| Serial number. | Distinguishing number or letter or security. | Name, title, or class of security. | | |
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

This certificate is accordingly granted to you and empowers you to collect those debts and

- (1) to receive interest or dividends on
- (2) to negotiate or transfer
- (3) both to receive interest or dividends on, and to negotiate or transfer the securities or any of them.

Dated this

day of

District Judge or Delegate.

FORM No. (J) 58.**Extended Succession Certificate.**

(Sec. 377 of the Indian Succession Act, 1925.)

In the Court of

On the application of _____, in the matter of the
 estate of _____ deceased, made to me on
 the _____ day of _____, I hereby extend this
 certificate to the following debts and securities, namely :—

Debts.

| Serial
number. | Name of debtor. | Amount of debt, in-
cluding interest on date
of application for
extension. | Description and date of
instrument, if any,
by which the debt
is secured. |
|-------------------|-----------------|---|--|
| 1 | 2 | 3 | 4 |
| | | | |

Securities.

| Description. | | | Amount
or part
value of
security. | Market value of
security on date of
application for
extension. |
|-------------------|---|---------------------------------------|--|---|
| Serial
number. | Distinguish-
ing number
or letter or
security. | Name, title, or class
of security. | | |
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

This extension empowers _____ to collect those
 debts and _____

- (1) to receive interest or dividends on
- (2) to negotiate or transfer
- (3) both to receive interest or dividends on, and to negotiate or transfer
 the securities or any of them.

Dated this _____ day of _____

District Judge or Delegate.

FORM No. (J) 57.**Debtor's Petition.**

(Sec. 13 of the Provincial Insolvency Act, V of 1920.)

District

In the Court of the District Judge at

Petitioner.

I(a) ordinarily residing at, (or "carrying on business at," "or personally working for gain at," or "in custody at") in consequence of the order of (b) being unable to pay my debts, hereby petition that I may be adjudged an insolvent. The total amount of all pecuniary claims against me is Rs.

(c) as set out in detail in Schedule A annexed hereunto, which contains the names and residences of all my creditors so far as they are known to, or can be ascertained by me. The amount and particulars of all my property are set out in Schedule B annexed hereunto together with a specification of all my property, not consisting of money, and the place or places at which such property is to be found and I hereby declare that I am willing to place all such property at the disposal of the Court save in so far as it includes such particulars (not being my books of account) as are exempted by law from attachment and sale in execution of a decree.

I have not on any previous occasion filed a petition to be adjudged an insolvent, or, I set out in Schedule C particulars (d) relating to my previous petition(s) to be adjudged an insolvent.

Verification clause as in plaints.

Signature.

- (a) Insert name and address and description of debtor.
- (b) State name of Court and particulars of decree in respect of which the order of detention has been made or by which an order of attachment has been made against debtor's property.
- (c) State whether and how any of the debts are secured.
- (d) The particulars required are :—
 - (i) Where a petition has been dismissed, reasons for such dismissal.
 - (ii) Where the debtor has previously been adjudged an insolvent, concise particulars of the insolvency, including a statement whether any previous adjudication has been annulled, and if so, the grounds therefor.

FORM No. (J) 58.**Order of adjudication.**

(Sec. 27 of the Provincial Insolvency Act, V of 1920.)

In the Court of the District Judge at

Insolvency Application No. of 19 .

Pursuant to a petition, dated against [here insert name, description, and address of debtor] and on the application of [here insert "the Official Receiver" or "the debtor himself" or "A. B. of a creditor."'] and on reading and hearing it is ordered that the debtor be and the said debtor is hereby adjudged insolvent.

It is further ordered that the debtor do apply for his discharge within from this date.

*Dated this day of 19 .**Judge.***FORM No. (J) 59.****Order annulling adjudication.**

(Sec. 35 of the Provincial Insolvency Act, V of 1920.)

In the Court of the District Judge at

*Insolvency Application No. of 19 .**Applicant.*

On the application of R.S., of , and on reading and hearing , it is ordered that the order of adjudication, dated against A. B., of , be and the same is hereby annulled.

*Dated this day of 19 . .**Judge. , .*

FORM No. (J) 60.**Order of discharge subject to conditions as to earnings, after-acquired property, and income.**

(Sec. 41(2), (a), (b), or (c) of the Provincial Insolvency Act,
V of 1920.)

In the Court of the District Judge at

Insolvency Case No.

of 19 .

Applicant.

On the application of , adjudged insolvent on the day of 19 , and upon taking into consideration the report of the Official Receiver (or Receiver) as to the insolvent's conduct and affairs, and hearing A.B. and C.D. creditors :—

It is ordered that the insolvent (a) be discharged forthwith ; or (b) be discharged on the , or (c) be discharged subject to the following conditions as to his future earnings, after-acquired property, and income :—

After setting aside out of the insolvent's earnings, after-acquired property and income, the yearly sum of Rs. for the support of himself and his family, the insolvent shall pay the surplus, if any, (or such portion of such surplus as the Court determine), of such earnings, after-acquired property, and income to the Court of Official Receiver (or Receiver) for distribution among the creditors in the insolvency. An account shall, on the first day of January in every year, or within fourteen days thereafter, be filed in these proceedings by the insolvent, setting forth a statement of his receipts from earnings, after-acquired property, and income during the year immediately preceding the said date, and the surplus payable under this order shall be paid by the insolvent into Court or to the Official Receiver (or Receiver) within fourteen days of the filing of the said account.

Dated this day of 19 .

Judge.

FORM No. (J) 61.**Order appointing a receiver.****(Sec. 56 of the Provincial Insolvency Act, V of 1920.)****In the Court of the District Judge at****In the matter of _____, an Insolvent.*****No. _____ of 19***

Whereas A. B. _____ was adjudicated an insolvent by order of this Court, dated _____, and it appears to the Court that the appointment of a Receiver for the property of the insolvent is necessary :—

It is ordered that a receiving order be made against the insolvent and a receiving order is hereby made against the insolvent and A. B. _____ of [or the Official Receiver] is hereby constituted Receiver of the property of the said insolvent.

And it (is) further ordered that the said Receiver (not being the Official Receiver) do give security to the extent of _____ and that his remuneration be fixed at _____

Dated***Judge,***

FORM No. (J) 62.**Application for Guardianship.**

(Sec. 10 of the Guardians and Wards Act, VIII of 1890.)

In the Civil Court of the District of

To

His Honour

District Judge of

Dated , the of

The humble petition of
 son of
 resident of

Sheweth,

That , ¹ of , ordinarily
 residing at , was born on the of 19 ,
 and is by religion a and by sex a

That the said is the wife² of .

That the said minor is entitled to certain property, to wit,³

That the said property is in the custody or possession of
 residing at

That ⁴ of has
 the custody of the person of the said minor.

That the minor has the following near relations, viz.,
 , ⁵ of , residing at⁶

¹ Son or daughter as the case may be.² Omit this paragraph if a male ; if a female unmarried, substitute the word unmarried ; if married, state also the age of her husband.³ Here state nature, situation and approximate value, if any, of the property of the minor.⁴ Son or daughter, and if married, the name of the husband.⁵ Son or daughter, and if married, the name of the husband.⁶ State relationship to minor.

That ⁷

That no guardian of the person or property of the said minor has been appointed by any person entitled or claiming to be entitled by the law to which the minor is subject to make such appointment.

That this application is for the appointment [or declaration, as the case may be] of a guardian to the ⁸ of the said minor.

That your petitioner is ⁹

That your petitioner therefore prays that an order appointing [or declaring as the case may be] to be guardian to the said minor be issued under section 7 of the Guardians and Wards Act, 1890.

And your petitioner as in duty bound, etc.

I, petitioner named in the above petition, do solemnly affirm that what is stated therein is true to the best of my information and belief.

Signed in the presence of ¹⁰

(Signature of Petitioner)

I, the guardian proposed in the above application do hereby declare that I am willing to act as such.

Signed in the presence of ¹¹

(Signature of the proposed guardian.)

⁷Here state whether an application has at any time been made to this Court, or to any other Court, with respect to the guardianship of the person or property, or both, of the minor, and if so, when, to what Court, and with what result. If any guardian has been appointed, erase the next paragraph.

⁸State whether to the person or the property of the minor, or to both.

⁹Here state the degree of relationship to, or connection with the minor, or any other grounds on which the petitioner claims to be entitled to be appointed or declared guardian, and the causes which have led to the making of the application, together with such other particulars as may be necessary.

¹⁰If not so signed but admitted by the petitioner to the witness to be his signature, to be so stated.

¹¹The declaration should be attested by at least two witnesses.

Note.—Such application should be verified in the manner prescribed by the Code of Civil Procedure.

V. PROCESS FORMS.

FORM No. (P) 1.

To be filled up by office.

Date of depositing talabana ..
Date of depositing diet money, etc. ..
Date of filing of process ..
Date of making over process to Nazarat ..

Notice to person who, the Court considers should be added as co-Plaintiff.

(Or. 1, r. 10, C. P. Code.)

To be filled up by Nazarat.

Date on which made over to peon ..
Date of return by peon after service ..
Date of actual return of process to Nazir ..
Date of return by Nazir to Court ..

District

In the Court of

at

of

Plaintiff,

versus

of

Defendant

To

(Name, description, and place of residence.)

Whereas

has instituted the above suit against

for

, and whereas it appears necessary

that you should be added as a plaintiff in the said suit in order to enable the Court effectually and completely to adjudicate upon and settle all the

Take notice that you should, on or before the

day of

19

, signify to this Court whether you consent

to be so added.

Given under my hand and the seal of the Court, this

day of

19

Judge.

FORM No. (P) 1-A.**Return of service of Summons, Notice, etc.**

(On the reverse of every process.)

1. Name of person on whom service is made.

2. Date, hour and exact place of service.

3. State if personally acquainted or how satisfied about the identity of the person to be served with name and address of person (s), if any, who helped in the matter.

4. Nature of service on each person and also the sequence in which service effected on different persons in the same case and on the same occasion (if service not personal, state reasons for the failure).

5. Whether signature or thumb impression of person served obtained. If refused to accept and sign, the grounds, if any.

6. If hung up owing to absence, state what attempts made to find out the person.

7. Name and address of persons witnessing the delivery or tender of process.

8. Remarks.

I—, a process-serving peon of this Court declare that on the day of 19 , I received a summons/notice in the above suit for service, and that I served the said summons/notice in the manner indicated above.

Signature of peon.

Verification of service by a chaukidar or dafadar, or local villager.

Service upon

, son of
who is personally
process-serving

known to me, has been made in my presence by
peon, in the manner described in his report.

Date

(Sd.)

Son of

Residence

Note 1.—If any diet money or other expense is paid, enter it in the remarks column.

Note 2.—Reference to persons to be served should be made by name and not only by their No. in the process.

Note 3.—The peon shall serve in the presence of at least two independent local residents and he shall, whenever possible, obtain the endorsement by signature or thumb impression of those persons on the original process and when unable to serve obtain the same endorsement of at least two persons of the locality.

Note 4.—When process is served on some person other than the person named therein, who accepts it on his behalf, it should be stated whether such person is an adult, and whether he is living with and undivided from the person on whose behalf he accepts service.

Note 5.—If substituted service has been ordered, state fully and exactly in column 4 the manner of service with special reference to the terms of order of the substituted service.

N. B.—Particular attention is drawn to rule 92 of the Civil Rules and Orders and the instructions contained therein.

FORM No. (P)2.

Notice to minor defendant and guardian of application for appointment of the guardian to be guardian for the suit.

(Or. 32, r. 3, C. P. Code.)

District

In the Court of at

Suit No. of 19 .

Plaintiff

versus

Defendant.

To .

Minor defendant.

Guardian (appointed by authority or natural, or the person in whose care the minor is, as the case may be).

Whereas an application has been presented on the part of the plaintiff in the above suit for the appointment of you* as guardian for the suit to the minor defendant, you the said minor and you* are hereby required to take notice that unless within days from the service upon you of this notice you* give your consent to be appointed to act as guardian, the Court will proceed subject to the decision of any objection that may be raised, to appoint some other person or an officer of the Court to act as guardian to you the minor for the suit.

Given under my hand and the seal of this Court, this day of 19 .

Judge.

*Here insert name of guardian.

Notes.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ends.

FORM No. (P) (2)(i).

Notice to minor defendant and guardian of application for appointment of another person to be guardian for the suit.

(Or. 32, r. 3, C. P. Code.)

District

In the Court of

at

Suit No. of 19 .

Plaintiff,

versus

Defendant.

To

Minor defendant.

Guardian (appointed by authority, or natural, or the person in whose care the minor is).

Whereas an application has been presented on the part of the plaintiff in the above suit for the appointment of (1) as guardian for the suit to the minor defendant, you the said minor and you (2) are hereby required to take notice that unless within days from the service upon you of this notice, you (2) make an application for the appointment of yourself or of some friend of you the minor to act as guardian, the Court will proceed, subject to the decision of any objection that may be raised to appoint (1) or an officer of the Court to act as guardian to you the minor for the said suit.

Given under my hand and the seal of this Court, this day of 19

Judge.

(1) Here insert name and description of proposed guardian.

(2) Here insert name of guardian upon whom the notice is to be served.

Notes.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P)3.

Notice to opposite party of day fixed for hearing evidence of pauperism.
(Or. 33, r. 6, C. P. Code.)

District

In the Court of

at

Case No. of 19 .

Applicant,

versus

Opposite Party.

To

Whereas has applied to this Court for permission to institute a suit against *in forma pauperis* under Order XXXIII of the Code of Civil Procedure, 1908 ; and whereas the Court sees no reason to reject the application ; and whereas the day of 19 , has been fixed for receiving such evidence as the applicant may adduce in proof of his pauperism and for hearing any evidence which may be adduced in disproof thereof :

Notice is hereby given to you under Rule 6 of Order XXXIII that in case you may wish to offer any evidence to disprove the pauperism of the applicant, you may do so on appearing in this Court on the said day of 19 .

Given under my hand and the seal of the Court, this day of 19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1

Summons to appear in person.

(Or. 5, r. 3, C. P. Code.)

District

In the Court of _____ at _____

Suit No. of 19 .

of **Plaintiff,**

versus

of *Defendant.*

To

(Name, description, and place of residence.)

Whereas _____ has instituted a suit against you for ..
you are hereby summoned to appear in this Court in person on the
day of _____ 19 __, at _____ o'clock in the _____ noon, to
answer the claim; and you are directed to produce on that day all the
documents upon which you intend to rely in support of your defence.

Take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence.

Given under my hand and the seal of the Court, this
day of 19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
cont.

FORM No. (P)5.

Common form of summons for (1) final disposal, (2) ascertaining whether a suit is contested or not, and, if not contested, for immediate disposal, (3) settlement of issues.

(Or. 5, rr. 1 and 5, C. P. Code.)

District

In the Court of the _____ at _____

No. _____ of 19 ____

To

(Name, description, and place of residence.)

Whereas _____ has instituted a suit against you for _____ you are hereby summoned to appear in this Court in person or by a pleader duly instructed, and able to answer all material questions relating to the suit (or who shall be accompanied by some person able to answer all such questions) on the _____ day of _____ 19 __, at _____ o'clock in the forenoon ;

(1) to answer the claim and as the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce on that day all the witnesses upon whose evidence and all the documents upon which you intend to rely in support of your defence ;

(2) to state whether you contest or do not contest the claim either in whole or in part and if you contest to receive directions of the Court as to the date on which your written statement is to be filed, the witness or witnesses upon whose evidence you intend to rely in support of your defence are to be produced, the document(s) upon which you intend to rely are to be filed, also the date of trial and other matters ; take notice that in the event of your admitting the claim either in whole or in part the Court will forthwith pass judgment in accordance with such admissions, or in the event of the claim not being contested the suit shall be decided at once ;

(3) to answer the claim and you are directed to produce on that day all the documents upon which you intend to rely in support of your defence.

Take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence.

Given under my hand and the seal of the Court, this _____ day of _____ 19 ____

Judge.

Notice 1.—Should you apprehend your witnesses will not attend of their own accord, you can have a summons from this Court to compel the attendance of any witness, and the production of any document that you have a right to call upon the witness to produce, on applying to the Court and on depositing the necessary expenses.

2. If you admit the claim, you should pay the money into Court together with the costs of the suit, to avoid execution of the decree, which may be against your person or property, or both.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

*Strike out (1), (2) or (3) as the summons may be for final disposal, or ascertaining whether the suit will be contested, or settlement of issues.

FORM No. (P)6.**Summons to Legal representative of a deceased defendant.**

(Or. 22, r. 4, C. P. Code.)

District

In the Court of

at

Suit No. of 19

of

*Plaintiff,**versus*

of

*Defendant.***To**

Whereas the plaintiff instituted a suit in this Court on the day of 19 , against the defendant who has since deceased, and whereas the said plaintiff has made an application to this Court alleging that you are the legal representative of the said deceased, and desiring that you be made the defendant in his stead.

You are hereby summoned to attend in this Court on the day of 19 at a.m. to defend the said suit and, in default of your appearance on the day specified, the said suit will be heard and determined in your absence.

Given under my hand and the seal of the Court, this day of 19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P)7.

Summons in summary suit on Negotiable Instrument.

(Or. 37, r. 2, C. P. Code.)

District

In the Court of

at

Suit No. of 19

Plaintiff,

versus

Defendant.

To

(Name, description, and place of residence.)

Whereas _____ has instituted a suit in this Court against you under Order XXXVII of the Code of Civil Procedure, 1908, for Rs. _____

• , balance of principal and interest due to him as the
of a , of which a copy is hereto annexed, you are hereby sum-
moned to obtain leave from the Court within ten days from the service
hereof to appear and defend the suit, and within such time to cause an appear-
ance to be entered for you. In default whereof the plaintiff will be entitled,
at any time after the expiration of such ten days, to obtain a decree for any
sum not exceeding the sum of Rs. and the sum of Rs.

for costs.

Leave to appear may be obtained on an application to the Court supported by affidavit or declaration showing that there is a defence to the suit on the merits, or that it is reasonable that you should be allowed to appear in the suit.

Given under my hand and the seal of the Court, this day of

19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 only.

FORM No. (P)8.**Notice to defendant.**

(Or. 9, r. 6, C. P. Code.)

District

In the Court of

at

Suit No. of 19 .

of

Plaintiff,

versus

of

Defendant.

To

(Name, description, and place of residence.)

Whereas this day was fixed for the hearing of the above suit and a summons was issued to you and the plaintiff has appeared in this Court and you did not so appear, but from the return of the Nazir it has been proved to the satisfaction of the Court that the said summons was served on you but not in sufficient time to enable you to appear and answer on the day fixed in the said summons ;

Notice is hereby given to you that the hearing of the suit is adjourned this day and that the day of 19 is now fixed for the hearing of the same ; in default of your appearance on the day last mentioned the suit will be heard and determined in your absence.

Given under my hand and the seal of the Court, this day of 19

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P)9.**Notice to show cause. (General form).**

District

In the Court of

at

Suit/Case No. of 19 .

versus

Applicant,

Opposite party.

To

Whereas the above-named has made application to this Court that ;

You are hereby warned to appear in this Court in person or by a pleader duly instructed on the day of 19 , at o'clock in the forenoon, to show cause against the application, failing wherein, the said application will be heard and determined *ex parte*.

Given under my hand and the seal of the Court, this day of 19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P) 10.**Summons to Witness.**

(Or. 16, rr. 1 and 5, C. P. Code.)

District**In the Court of****at****Suit No. of 19 .****of****Plaintiff,****versus****of****Defendant.****To**

Whereas your attendance is required to _____ on behalf of the _____ in the above suit, you are hereby required (personally) to appear before this Court on the _____ day of 19 ____ , at _____ o'clock in the forenoon, and to bring with you (or to send to this Court) _____ .

A sum of Rs.* _____ being¹ your (travelling and other expenses and) subsistence allowance for (one) day, is herewith sent. If you fail to comply with this order without lawful excuse, you will be subject to the consequences of non-attendance laid down in rule 12 of Order XVI of the Code of Civil Procedure, 1908.

Given under my hand and the seal of the Court, this _____ day of 19 ____ .

Judge.

Notice.—(1) If you are summoned only to produce a document and not to give evidence, you shall be deemed to have complied with the summons if you cause such document to be produced in this Court on the day and hour aforesaid.

²(2) If you are detained beyond the day aforesaid, a sum of Rs. _____ will be tendered to you for each day's attendance beyond the day specified.

* The amount fixed by the Court under Or. 16, r. 2 (1) [see rule 703 sub-rules (1) to (7), Civil Rules and Orders, Vol. I] and entered here by the office shall be tendered by the party serving the summons or the process-serving peon as the case may be.

¹In this connexion, see rule 703, sub-rules (3) (b) to (7), Civil Rules and Orders, Vol I.

²See sub-rule (3) (a) *ibid.*

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) (1) ante.

FORM No. (P) 11.**Warrant of arrest of Witness.**

(Or. 16, r. 10, C. P. Code.)

District**In the Court of****at***Suit No.**of 19***of*****Plaintiff,****versus***of*****Defendant.*****To****The BAILIFF of the COURT.****Whereas****has been duly served with a summons**

but has failed to attend (absconds and keeps out of the way for the purpose of avoiding service of a summons) ; You are hereby ordered to arrest and bring the said before the Court.

You are further ordered to return this warrant on or before the day of 19 , with an endorsement certifying the day on and the manner in which it has been executed; or the reason why it has not been executed.

Given under my hand and the seal of the Court, this day of

19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P) 12.**Proclamation Requiring Attendance of Witness.**

(Or. 16, r. 10, C. P. Code.)

District

In the Court of

at

Suit No. of 19 .

of Village thana district *Plaintiff,**versus*of Village Thana district *Defendant.*

To

, inhabitant of Village

thana district, Witness.

Whereas it appears from the affidavit/examination on oath of the serving officer that the summons ^{could not be} ~~has been duly~~ served upon the witness in the manner prescribed by law : and whereas it appears that the evidence of the witness is material, and he absconds and keeps out of the way for the purpose of evading the service of summons ~~has failed to attend in compliance with such summons.~~

This proclamation is therefore, under rule 10 of Or. 16 of the Code of Civil Procedure, 1908, issued requiring the attendance of the witness in this Court on the day of 19 at o'clock in the forenoon and from day to day until he shall have leave to depart ; and if the witness fails to attend on the day and hour aforesaid he will be dealt with according to law.

Given under my hand and the seal of the Court, this day of

19 .

. *Judge.*

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 and.

FORM No. (P) 13.**Order for attachment of the property of Witness.**

(Or. 18, r. 10, C. P. Code).

District

In the Court of

at

Suit No. of 19 .

of

Plaintiff,

versus

of

Defendant.

To

THE BAILIFF OF THE COURT.

Whereas the witness

cited by

has not after the expiration of the period limited in the proclamation issued for the attendance appeared
been arrested although a was duly issued

in court You are hereby required to hold under

attachment *

property belonging to the said witness to the value of

and to submit a return, together with an inventory
 thereof, within

Given under my hand and the seal of the Court, this

day of 19 .

Judge.

*Here specify the movable and or immovable property to be attached.

Notes.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
ante.

FORM No. (P) 14.**Warrant of arrest before judgment.**

(Or. 38, r. 1, C. P. Code.)

District**In the Court of****at***Suit No. of 19**Plaintiff,**versus**Defendant.***To****THE BAILIFF OF THE COURT.**Whereas
the sum of Rs., the plaintiff in the above suit, claims
as noted in the margin, and has proved to the satisfaction of the Court that there is probable
cause for believing that the defendant

| Decree. | Rs. | a. | p. |
|-----------|-----|----|----|
| Principal | | | |
| Interest | | | |
| Costs | | | |
| Total | | | |

is about to

These are to command you to demand and
receive from the said

the sum of Rs. as sufficient to satisfy

the plaintiff's claim, and unless the said sum
of Rs. is forthwith delivered to you by

or on behalf of the said

to take the said into

custody, and to bring him before this Court, in order that he may show
cause why he should not furnish security to the amount of Rs. for hispersonal appearance before the Court, until such time as the said suit shall
be fully and finally disposed of, and until satisfaction of any decree that may
be passed against him in the suit.Given under my hand and the seal of the Court, this day of
19*Judge.***Note.**—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
and.

FORM No. (P) 15.**Summons to defendant to appear on surety's application for discharge.**

(Or. 38, r. 3, C. P. Code.)

District**In the Court of****at***Suit No.**of 19**Plaintiff,**versus**Defendant.***To**

Whereas _____, who became surety on the
 day of _____ 19 _____, for your appearance in the above
 suit, has applied to this Court to be discharged from his obligation ;

You are hereby summoned to appear in this Court in person on the
 day of _____ 19 _____, at _____ a.m. when the said application will be
 heard and determined.

Given under my hand and the seal of the Court, this _____ day of

19 _____

Judge,

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
ante.

FORM No. (P) 16.

Order to call for security with or without conditional attachment before judgment for fulfilment of decree.

(Or. 38, r. 5, C. P. Code.)

In the Court of

at

Civil Suit No. . of 19 .

of

versus

of

To

THE BAILIFF OF THE COURT.

Whereas has proved to the satisfaction of the Court that the defendant in the above suit is about to dispose of (*or is about to remove from the local limits of the jurisdiction of the Court*) the moveable/immovable property in the schedule herewith annexed ; These are to command you to call upon the said defendant on or before the day of 19 , either to furnish security for the sum of Rs. to produce and place at the disposal of this Court when required or the value thereof, or such portion of the value as may be sufficient to satisfy any decree that may be passed against him ; or to appear and show cause why he should not furnish security ; and* you are further directed to—

(1) attach the said moveable property and keep the same under safe and secure custody until the further orders of the Court, *or* (and)

(2) attach the said immoveable property by serving this order prohibiting and restraining the abovenamed defendant until the further orders of the Court from transferring or charging the said immovable property by sale, gift or otherwise, and that all persons be, and that they are hereby prohibited from receiving the same by purchase, gift or otherwise ;

And you are further commanded to return this warrant on or before the day of 19 , with an endorsement certifying the date on which and the manner in which it has been executed or the reason why it has not been executed.

Given under my hand and the seal of the Court, this day of 19 .

Judge.

*Strike out this portion and (1) and (2) if there is no order of conditional attachment under Or. 38, r. 5 (3).

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

(Or. 38, r. 6, C. P. Code.)

at

of

of

THE BAILIFF OF THE COURT.

Given under my hand and the seal of the Court, this

day of

19

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
ans.

FORM No. (P) 18.**Temporary Injunction.**

(Or. 39, r. 1, C. P. Code.)

District

In the Court of

at

Civil Suit No. of 19

Plaintiff,

versus

Defendant.

Upon motion made unto this Court by _____, Pleader
of (or Advocate for) the plaintiff A. B. and upon reading the petition of the said
plaintiff in this matter filed (this day) (or the plaint filed in this suit on the
_____ day of _____ or the written statement of the said plaintiff
filed on the _____ day of _____) and upon hearing the evidence
of _____ and _____ in support thereof
(if after notice, and defendant not appearing ; add, and also the evidence of
_____ as to service of notice of this motion upon the
defendant C. D.) : This Court doth order that an injunction be awarded to
restrain the defendant C. D.*

Dated this

day of

19

Judge.

* *Note 1.*—Add, as in examples given in form 8, Appendix F, Schedule I, Code of Civil Procedure, the necessary particulars of the case in which the injunction is sought.

Note 2.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1

FORM No. (P) 19.**Notice of deposit of decretal amount.**

[Or. 21, r. 1 (2), C. P. Code.]

In the Court of

at

To

Take notice that _____ the plaintiff/defendant, etc.
 (as the case may be), in No. _____ of 19 _____, has on the
 day of _____ 19 _____, deposited into Court the sum of Rs.
 as. _____ (in words _____) as detailed below as the
 amount payable to you under the decree/order dated _____ in
 suit/case No. _____ of _____ 19 _____, and you are informed
 that you may withdraw the amount in person or get it transmitted to you
 by money order on your making a request under Rule 211 of
 Ch. 10, Part I, Civil Rules and Orders, Volume I.

Amount

Interest

Costs

Total

*Judge.**Dated* _____ . 19 _____ .*Notes.*—Notice to be issued on a service card.

(On the reverse.)

POST CARD.**On His Majesty's Service.**

FORM No. (P) 20.

Notice to show cause why a payment or adjustment should not be recorded as certified.

(Or. 21, r. 2, C. P. Code.)

District

In the Court of

at

Suit No. of 19

, Plaintiff,

versus

, Defendant.

To

Whereas in execution of the decree in the abovenamed suit has applied to this Court that the sum of Rs. recoverable under the decree has been $\frac{\text{paid}}{\text{adjusted}}$ and should be recorded as certified, this is to give you notice that you are to appear before this Court on the day of 19 , to show cause why the $\frac{\text{payment}}{\text{adjustment}}$ aforesaid should not be recorded as certified.

Given under my hand and the seal of the Court, this day of

19 .

. Judge.

Notes.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

Form No. (P) 21.

Notice of application for execution of a decree transferred by
assignment.

(Or. 21, r. 16, C. P. Code.)

District

In the Court of

at

No. of 19

of , Plaintiff,

versus

of , Defendant.

To

Whereas has made application to this Court
for execution of decree in suit No. of 19
on the allegation that the same has been transferred to
by assignment namely, by* this is to give you
notice that you are to appear before this Court on the day of
19 , either in person, or by a pleader of this Court, or
agent duly authorized and instructed to show cause, if any, why execution
should not be granted.

Given under my hand and seal of the Court, this day of

19

Judge.

*Here enter particulars of assignment.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
ante.

FORM No. (P) 22.**Notice to show cause why execution should not issue.**

(Or. 21, r. 22, C. P. Code.)

District

In the Court of

at

No.

of 19 .

of

, Plaintiff,

versus

of

, Defendant.

To .

Whereas

has made application to this Court

for execution of decree in Suit No.

of 19 ,

•

(1) which was passed against you more than one year previous to the said application /(2) on the allegation that you are the legal representative of the judgment-debtor

this is to give you notice that

you are to appear before this Court on the

day of

19 , either in person, or by a pleader of this Court or agent duly authorised

and instructed to show cause why execution should not be granted.

Given under my hand and the seal of the Court, this

day of

19 .

. Judge.

*Strike out (1) or (2) as the case may be.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P)23.**Warrant to the Bailiff to give possession of land, etc.**

(Or. 21 r. 35, C. P. Code.)

District

In the Court of

at

*Suit No. of 19*of , *Plaintiff,**versus*of , *Defendant.*

To

THE BAILIFF OF THE COURT.

Whereas the undermentioned property in the occupancy of
 has been decreed
 to
 the plaintiff in this suit: you are hereby directed to put the said
 in possession
 of the same, and you are hereby authorised to remove any person bound by
 the decree who may refuse to vacate the same.

Given under my hand and the seal of the Court, this day of

19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
ante.

FORM No. (P) 24.

Warrant of attachment of movable property in execution of a decree for money.

(Or. 21, r. 30, C. P. Code.)

District

In the Court of

at

Suit No.

of 19

, Plaintiff,

versus

, Defendant.

To

THE BAILIFF OF THE COURT.

Whereas
of this Court, passed on the
19 , in suit No. .
the sum of Rs.

was ordered, by decree

day of

of 19 , to pay to the Plaintiff
as noted in the margin; and whereas
the said sum of Rs. has not
been paid :

| Decree. | Rs. | a. | p. |
|-------------------|-----|----|----|
| Principal .. | | | |
| Interest .. | | • | |
| Costs .. | | | • |
| Cost of execution | | | |
| Further Interest | | | |
| Total .. | | | |

These are to command you to attach
the movable property of the said
as set forth in the
schedule hereunto annexed, or which
shall be pointed out to you by the said
sufficient to cover the amount
of this warrant and unless the said

shall pay to you the said sum of Rs.

together with Rs. , the costs of this attachment,
to hold the same until further orders from this Court.

You are further commanded to return this warrant on or before the
day of 19 , with an
endorsement certifying the day on which and manner in which it has been
executed, or why it has not been executed.

Given under my hand and the seal of the Court, this
19 .

day of

Judge.

Schedule.

Notes.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
encls.

FORM No. (P) 25.

Notice to show cause why warrant of arrest should not issue.

(Or. 21, r. 37, C. P. Code.)

District

In the Court of

at

No. of 19

of

, Plaintiff

against

of

, Defendant.

To

Whereas _____ has made application to this Court
for execution of decree in suit No. _____ of 19 _____, by arrest and imprisonment
of your person, your are hereby required to appear before this Court on the
_____ day of _____ 19 _____, to show cause why you should
not be committed to the civil prison in execution of the said decree.

Given under my hand and the seal of the Court, this day of

19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1

FORM No. (P) 26.**Warrant of arrest in execution.**

(Or. 21, r. 38, C. P. Code.)

District**In the Court of****at****Suit No.****of 19 .****of****, Plaintiff,****versus****of****, Defendant.****To****THE BAILIFF OF THE COURT.****Whereas**

| Decree. | Rs. | s. | p. |
|--------------|-----|----|----|
| Principal .. | | | |
| Interest .. | | | |
| Costs .. | | | |
| Execution .. | | | |
| Total .. | | | |

was adjudged by a decree of the Court in suit No. of 19 , dated the day of 19 , to pay to the decree-holder the sum of Rs. as noted in the margin, and whereas the said sum of Rs. has not been paid to the said decree-holder in satisfaction of the said decree, these are to command you to arrest the said judgment-debtor, and unless the said judgment-debtor shall pay to you the said sum of Rs. together with Rs. for the costs of executing this process, to bring the said defendant before the Court with all convenient speed. You are further commanded to return this warrant on or before the day of 19 , with an endorsement certifying the day on which and manner in which it has been executed, or the reason why it has not been executed.

Given under my hand and the seal of the Court, this**day of****19 .****Judge.****Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1**

(Or. 21, r. 40, C. P. Code.)

at

Suit No. **of 19** .

, Plaintiff,

verses

, Defendant.

To

THE OFFICER IN CHARGE OF THE CIVIL PRISON AT

Whereas _____ who has been brought before this Court this _____ day of _____ 19____, under a warrant in execution of a decree which was made and pronounced by the said Court on the _____ day of _____ 19____,

and by which decree it was ordered that the said

should pay ; And whereas the said

has not obeyed the decree nor satisfied the Court that he is entitled to be discharged from custody ; you are hereby, in the name of the King-Emperor of India, commanded and required to take and receive the said into the civil prison and keep him imprisoned therein for a period not exceeding* or until the said decree shall be fully satisfied, or the said shall be otherwise entitled to be released according to the terms and provisions of section 58 of the Code of Civil Procedure, 1908 ; and the Court does hereby† fix annas per diem as the rate of the monthly allowance for the subsistence of the said during his confinement under this Warrant of Committal.

Given under my signature and the seal of the Court, this day of
19 .

Judge.

*The question whether the maximum period of imprisonment should be six months or six weeks depends solely on whether the amount due on the date of decree (i.e., the amount decreed, including interest up to the date of the decree, and the costs of the suit, if any), is more or less than Rs. 50. For the information of the jail authorities the amount due on the date of the decree and the interest and costs of execution subsequent to the decree should be entered separately (see Civil Rules and Orders, Part I, Chapter 10, rule 257).

†See the scale in rule 258, Part I, Chapter 10.

FORM No. (P) 28.**Order for the release of a person imprisoned in execution of a decree.**

(Sections 58, 59, C. P. Code.)

District**In the Court of****at****No.****of 19****, Decree-holder,****versus****, Judgment-debtor.****To****THE OFFICER, IN CHARGE OF THE CIVIL PRISON AT**

Under orders passed this day, you are hereby directed to set free judgment-debtor now in your custody.

Dated**Judge.****FORM No. (P) 29.****Attachment in execution (1).**

Prohibitory order where the property to be attached consists of movable property to which the defendant is entitled subject to a lien or right of some other person to the immediate possession thereof.

[Or. 21, r. 46(I) (c), C. P. Code.]

District**In the Court of****at****versus****To**

Whereas _____ has failed to satisfy a decree passed against _____ on the _____ day of _____ 19 _____, in favour of _____ in suit No. _____ of 19 _____, for Rs. _____;

it is ordered that the defendant be and is hereby, prohibited and restrained, until the further order of this Court, from receiving from _____ the following property in the possession of the said _____; that is to say,

to which the defendant is entitled, subject to any claim of the said _____

and the said

is hereby prohibited and restrained until the further order of this Court, from delivering the said property to any person or persons whomsoever.

Given under my hand and the seal of the Court, this _____ day of

19 _____

Description of property.**Judge**

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1

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FORM No. (F) 29.

Attachment in execution (2).

Prohibitory order where the property consists of debts not being negotiable instruments, or of movable property not in the possession of the judgment-debtor.

[Or, 2, r. 46(I) (a) and (c), C. P. Code.]

District

In the Court of

at

versus

To

Whereas _____ has failed to satisfy a decree passed
against _____ on the _____ day of
19 _____, in suit No. _____ of 19 _____, in favour of
_____;
for Rs. _____;

it is ordered that the defendant be, and is hereby, prohibited and restrained,
until the further order of this Court, from receiving from you¹
to the said defendant, namely,
, and that you, the said

be, and you are hereby, prohibited and restrained, until the further order of
this Court from² _____, to any person whom-
soever, or otherwise than into this Court.

Given under my hand and the seal of the Court, this

day of

19 _____

Judge.

¹ "A certain debt alleged, now to be due from you," or "certain movable property in your possession but alleged to belong."

² "Making payment of the said debt," or "giving delivery of the said movable property."

Note 1.—The above form is identical with C. P. Form No. 29 at page 287 of the 1903 edition of Volume II, R. and O. (Civil), and differs but very slightly from the corresponding form No. 17 of Appendix E, Schedule I, Code of Civil Procedure, 1908. This form, however, is of wider application, and has therefore been retained.

Note 2.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 and.

Attachment in execution (3).

Prohibitory order, where the property consists of shares in the capital of a Corporation.

[Or. 21, r. 46(1) (b), C. P. Code.]

District

In the Court of

at

To

Defendant

and to

, Secretary of

Corporation.

Whereas _____ has failed to satisfy a decree passed against _____ on the _____ day of _____ 19____, in suit No. _____ of 19____, in favour of _____ for Rs. _____; it is ordered that you, the defendant, be, and you are hereby prohibited and restrained until the further order of this Court, from making any transfer of _____ shares in the aforesaid Corporation, namely, _____ or from receiving payment of any dividends thereon; and you _____, the Secretary of the said Corporation, are hereby prohibited and restrained from permitting any such transfer or making any such payment.

Given under my hand and the seal of the Court, this day of

19

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1

FORM No. (P) 32.

Order to attach salary of public officer or servant of railway company or local authority.

(Or. 21, r. 48, C. P. Code.)

District

In the Court of

at

Case No.

of 19

Decree-holder,

versus

Judgment-debtor.

To

Whereas judgment-debtor in the abovenamed case, is a (*describe office of judgment-debtor*) receiving his salary (*or allowances*) at your hands ; and whereas , decree-holder in the said case, has applied in this Court for the attachment of the salary (*or allowances*) of the said to the extent of due to him under the decree ; you are hereby required to withhold the said sum of from the salary of the said in monthly instalments of

and to remit the said sum (*or monthly instalments*) to this Court month by month until the amount due under the decree is fully satisfied. You are further required to send a report of your having complied with the order of attachment and if the attachable portion of the salary or allowance is being remitted under a previous attachment, this order is to be returned forthwith with a full statement of all the particulars of the existing attachment.

Given under my hand and the seal of the Court, this

day of

FROM (P) 33.**Order of attachment of negotiable instrument.**

(Or. 21, r. 51, C. P. Code.)

District

In the Court of

at

Case No. of 19

*Judgment-creditor,**versus**Judgment-debtor.*

To

THE BAILIFF OF THE COURT.

Whereas an order has been passed by this Court on the day of

19 , for the attachment of

; you are hereby directed to seize the said

and bring the same into Court.

Given under my hand and the seal of the Court, this day of

19 .

Judge

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 and.

FORM No. (P) 34.

Attachment (4).

Prohibitory order, where the property consists of money or of any security in the custody of a Court of Justice or officer of Government.

(Or. 21, r. 52, C. P. Code.)

In the Court of

at

Civil Suit No. *of 19* .

of

versus

of

To

SIR,

The plaintiff having applied, under Or. 21, r. 52 of the C. P. Code 1908, for an attachment of certain money (or property) now in your hands ;¹

I request that you will hold the said money (or property) subject to the further order of this Court. (*If the notice be addressed to a public officer continue*) and that, if you have no notice of any claim to, or interest in the said money (or property) other than that of the abovenamed C.D., you will bring the same into this Court to the credit of the above suit ; or if you have any objection to so doing, that you will inform me of the grounds thereof.

I have the honour to be,

SIR,

Your most obedient Servant,

Judge.

Dated the *day of* *19*

¹ Here state how the money is supposed to be in the hands of the person addressed, on what account, etc.

FORM No. (P) 35.**Notice of attachment of a decree to the Court which passed it.**

[Or. 21, r. 53 (1) (b), C. P. Code.]

District

In the Court of _____ at _____

Suit No. _____ of 19 _____

of _____

versus _____

of _____

To**THE JUDGE OF THE COURT OF****SIR,**

I have the honour to inform you that the decree obtained in your Court
on the _____ day of _____ 19 _____, by

in'suit No. _____ of 19 _____, in which he was

and _____

was _____

has been attached by this Court on the application of _____

, the _____

in the suit specified above. You are therefore requested to stay the execution
of the decree of your Court until you receive an intimation from this Court
that the present notice has been cancelled, or until execution of the said
decree is applied for by the holder of the decree now sought to be executed or
by his judgment-debtor.

I have the honour to be,

SIR,

Your most obedient Servant,

Judge.

Dated the _____ day of _____

19 _____

FORM No. (P) 36.

Notice of attachment of a decree to the holder of the decree, or to the Judgment-debtor.

[Or. 21, r. 53 (4) and (6), C. P. Code.]

District

In the Court

at

Suit No. of 19 .

of

versus

of

To

Whereas an application has been made in this Court by the decree-holder in the above suit for the attachment of a decree obtained ^{by} against you on the day of 19 in the Court of in suit No. of 19 , in which

was/were

and

was/were

: it is

ordered that you the said

be, and you are hereby , prohibited and restrained until the further order of this Court, from ^{transferring or charging} making payment or adjustment of the same in any way.

Given under my hand and the seal of the Court, this—day of

19 .

Judge.

Notes.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P) 37.

Order for payment to the plaintiff, etc., of money, etc., in the hands of a third party.

[Or. 21, r. 56, C. P. Code.]

District

In the Court of _____ at _____

No. _____ of 19 ____

of

versus

of

To⁽¹⁾

Whereas the following property
has been attached in execution of a decree in suit No.
of 19 __, passed on the _____ day of _____ 19 __,
in favour of _____ for Rs. _____; it
is ordered that the property so attached, consisting of Rs. ⁽²⁾
in money, and Rs. ⁽²⁾ _____ in currency notes, or a sufficient part
thereof to satisfy the said decree, shall be paid over by you the said
to _____

Given under my hand and the seal of the Court, this _____ day
of _____ 19 __.

Judge.

⁽¹⁾ The Bailiff of the Court, and to the Collector or other person.

⁽²⁾ To be clearly stated in words and figures.

FORM No. (P) 32.**Notice to attaching creditor.**

[Or. 21, r. 58, C. P. Code.]

District

In the Court of

at

Suit No. of 19 .

of

versus

of

To

Whereas
has made application to this Court for the removal of attachment on
placed at your instance in execution of the decree in suit No.
of 19 , this is to give you notice to appear before this
Court on , the
day of , 19 , either in person, or by a pleader of the
Court duly instructed to support your claim as attaching creditor.

Given under my hand and the seal of the Court, this
day of 19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P) 39.**Attachment in execution (5).***Prohibitory order, where the property consists of immovable property.*

[Or. 21, r. 54, C. P. Code.]

District

In the Court of

at

To

Defendant.

Whereas you have failed to satisfy a decree passed against you on
the day of 19 , in suit
No. of 19 , in favour of for Rs.

it is ordered that you, the said

, be, and you are hereby, prohibited and
restrained, until the further order of this Court, from transferring
or charging the property specified in the schedule hereunto annexed, by sale,
gift, or otherwise, and that all persons be, and that they are hereby,
prohibited from receiving the same by purchase, gift, or otherwise.

Given under my hand and the seal of the Court, this
day of 19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P) 49.

Notice to the Collector of the attachment of
Sale Proclamation in regard to land paying revenue to
 Government.

[Or. 21, r. 54(2), C. P. Code.]

District

In the Court of _____ at _____
 Execution case No. _____ of 19 ____
 Decree-holder,
 versus
 Judgment-debtor.

The right, title, and interest of the judgment-debtor named above
 in the* _____
 within the sub-division of _____ in the district of _____
 have been attached
ordered to be sold by an order of this Court, dated the
 day of _____ 19 ____.

A copy of the order of attachment
sale proclamation is herewith forwarded to the Collector of
 _____ with the request that he will cause it to be fixed up in
 some conspicuous place in his office.

(Signature and designation of the
 Presiding Officer of the Court.)

Dated the _____ 19 ____.

Memo No. _____

Received notice dated _____ 19 __, from the
 _____ of _____ forwarding copy of
an attachment order
a sale proclamation, dated the _____ 19 __, in Execution Case No.
 of 19 ____.

Collector.

Dated the _____ 19 ____.

*Specify clearly estate, or share in estate, and town number.

FORM No. (P) 41.**Order on the Nazir for causing service of proclamation of sale.**

[Or. 21, r. 66, C. P. Code.]

District

In the Court of _____ at _____

Suit No. _____ *of* 19 __________ *of* _____ *Plaintiff,**versus*_____ *of* _____*Defendant.***To****THE NAZIR OF THE COURT.**

Whereas an order has been made for the sale of the property of the judgment-debtor specified in the schedule hereunder annexed,* and whereas the _____ day of _____ 19 _____ has been fixed for the sale of the said property, _____ copies of the proclamation of sale are by this warrant made over to you, and you are hereby ordered to have the proclamation published by beat of drum within each of the properties specified in the said schedule,* to affix a copy of the said proclamation on a conspicuous part of each of the said properties and afterwards on the Court-house, and then to submit to this Court a report showing the dates on which and the manner in which the proclamations have been published.

Dated the _____ day of _____ 19 _____

*Judge.***Schedule.**

*It will suffice if clear reference is made herein to the schedule of property as set forth in the connected proclamation of sale, and if the date of the latter be inserted. (*G. L. 13 of 1909.*)

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P) 42.**Notice of the day fixed for settling a sale proclamation.**

[Or. 21, r. 66, C. P. Code.]

District

In the Court of

at

*Civil/Rent Suit No.**of 19 .**Plaintiff,**versus**Defendant.**Judgment-debtor.***To**

Whereas in the above-named suit the decree-holder
 has applied for the sale of
 You are hereby informed
 that the day of 19 ,
 has been fixed for settling the terms of the proclamation of sale.

Given under my hand and the seal of the Court, this
 day of 19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
ante.

FORM No. (P) 43.**Warrant of sale of property in execution of a decree for money.**

[Or. 21, r. 66, C. P. Code.]

In the Court of

at

Civil Suit No. *of 19 .**Miscellaneous No.* *of 19 .*

of

versus

of

To

THE BAILIFF OF THE COURT.

These are to command you to sell by auction, 'after giving
 days' previous notice, by affixing the same in this Court-
 house, and after making due proclamation¹ the property
 attached under a warrant from this Court, dated the
 day of 19 , in execution of a decree
 in favour of
 in suit No. of 19 , or so
 much of the said property as shall realise the sum of Rs.
 being the of
 the said decree and costs still remaining unsatisfied.

You are further commanded to return this warrant on or before the
 day of 19 ,
 with an endorsement certifying the manner in which it has been executed.
 or the reason why it has not been executed.

Given under my hand and the seal of the Court, this
 day of 19 .

Judge.

¹This proclamation shall specify the time, the place of sale, the property to be sold the revenue assessed, (should the property consist of land paying revenue to Government), and the amount for the recovery of which the sale is ordered, and as fairly and accurately as possible the other particulars required by Order 21, r. 66, to be specified.

Notes.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

Proclamation of sale of immovable property.

[Or. 21, r. 66, C. P. Code.]

District

In the Court of

at

Execution case No.

of 19

of

Decree-holder,

versus

of

Judgment-debtor.

Notice is hereby given that, under Rule 64 of Order XXI of the Code of Civil Procedure, 1908, an order has been passed by this Court for the sale of the attached property mentioned in the annexed schedule, in satisfaction of the claim of the decree-holder in the suit¹ mentioned in the margin, amounting with costs and interest up to date of sale to the sum of

| | | |
|----------|----------------|----------------|
| Suit No. | of 19 | |
| | decided by the | |
| of | | in which |
| | | was plaintiff, |
| and | | was defendant. |

The sale will be public auction, and the property will be put up for sale in the lots specified in the schedule. The sale will be of the property of the judgment-debtors above-named as mentioned in the schedule below ; and the liabilities and claims attaching to the said property, so far as they have been ascertained, are those specified in the schedule against each lot.

In the absence of any order of postponement, the sale will be held by _____ at the monthly sale commencing at _____ o'clock on the _____ at _____. In the event, however, of the debt above specified and of the costs of the sale being tendered or paid before the knocking down of any lot the sale will be stopped.

At the sale the public generally are invited to bid, either personally or by duly authorized agent. No bid by, or on behalf of, the judgment-creditors above-mentioned, however, will be accepted, nor will any sale to them be valid without the express permission of the Court previously given. The following are the further—

Conditions of sale.

1. The particulars specified in the schedule below have been stated to the best of the information of the Court, but the Court will not be answerable for any error, mis-statement, or omission in this proclamation.

2. The amount by which the biddings are to be increased shall be determined by the officer conducting the sale. In the event of any dispute arising as to the amount bid, or as to the bidder, the lot shall at once be again put up to auction.

3. The highest bidder shall be declared to be the purchaser of any lot, provided always that he is legally qualified to bid, and provided that it shall be in the discretion of the Court or officer holding the sale to decline acceptance of the highest bid when the price offered appears so clearly inadequate as to make it advisable to do so.

4. For reasons recorded, it shall be in the discretion of the officer conducting the sale to adjourn it, subject always to the provisions of rule 69 of Order XXI.

5. The person declared to be the purchaser shall pay immediately after such declaration a deposit of 25 per cent. on the amount of his purchase-money to the officer conducting the sale, and in default of such deposit the property shall forthwith be again put up and re-sold.

6. The full amount of the purchase-money shall be paid by the purchaser before the Court closes on the fifteenth day after the sale of the property, exclusive of such day, or if the fifteenth day be a Sunday or other holiday, then on the first office day after the fifteenth day.

7. In default of payment of the balance of purchase-money within the period allowed, the property shall be re-sold after the issue of a fresh notification of sale. The deposit, after defraying the expenses of the sale, may, if the Court thinks fit, be forfeited to Government and the defaulting purchaser shall forfeit all claim to the property, or to any part of the sum for which it may be subsequently sold.

Given under my hand and the seal of the Court, this day of
19 .

Judge.

Schedule of property.

| No.
of lot. | Specification
of property to
be sold with the
name of each
owner where
there are more
judgment-debtors
than one. | Extent
of
interest. | The revenue assessed
upon the estate or part
of the estate, where
the property to be sold
is an interest in an
estate or in part of an
estate paying revenue
to the Government. | Detail of
any incum-
brances to
which the
property is
liable. | Claims, if any,
which have been put
forward to the
property, and any
other known parti-
culars bearing on its
nature and value. |
|----------------|---|---------------------------|--|--|---|
| | | | | | |

FORM No. (P) 45.**Proclamation of sale of moveable property.**

(Or. 21, r. 66, C. P. Code.)

District**In the Court of****at***Execution case No.**of 19*

(Name and residence)

*Decree-holder,**versus*

(Name and residence)

Judgment-debtor.

Suit No. of 19 ,
 decided by the
 of in which
 was plaintiff
 and was defen-
 dant.

Whereas an order has been passed by this Court under Or. 21, r. 64, C. P. Code, for the sale of the attached property mentioned in the annexed schedule, in satisfaction of the claim of the decree-holder in the marginally noted suit amounting with costs and interest up to date of sale to the sum of Rs. .

Notice is hereby given that the said property will be sold by public auction at the sale commencing at (hour) on the day of 19 at (place of sale). In the event, however, of the debt above specified and of the costs of the sale being tendered or paid before the knocking down of any lot the sale will be stopped.

The property will be put up for sale in the lots specified in the schedule. The interest of the abovenamed judgment-debtor in the said property, and the claims and liabilities attaching thereto are so far as can be ascertained, set out in the said schedule, but the Court will not be answerable for any error, mis-statement, or omission in this proclamation.

No bid by or on behalf of the judgment-creditors abovementioned however, will be accepted, nor will any sale to them be valid without the express permission of the Court previously obtained. The following are the further—

Conditions of sale.

1. The property is to be sold under the conditions prescribed in the C. P. Code.

2. The amount by which the biddings are to be increased shall be determined by the person conducting the sale. In the event of any dispute arising as to the amount of the bid, or as to the bidder, the lot shall at once be again put up to auction.

3. The highest bidder shall be declared to be the purchaser of any lot, provided always that he is legally qualified to bid, and provided that it shall be in the discretion of the Court or officer holding the sale to decline acceptance of the highest bid when the price offered appears so clearly inadequate as to make it advisable to do so.

4. Every purchaser shall pay the price of each lot purchased by him to the auctioneer at the time of the sale or as soon after as he directs and in default of payment the property shall forthwith be again put up and resold.

5. No objection shall be taken by any purchaser that the property or the interest of the judgment-debtors therein, has been incorrectly described or misstated in this proclamation, or on the ground of any defect herein.

Given under my hand and the seal of the Court, this day of

19 .

Judge.

Schedule.

| Number of lot. | Description of property and market value. | Interest of Judgment-debtor. | Incumbrances and claims. |
|----------------|---|------------------------------|--------------------------|
| | | | |

FORM No. (P) 46.

Prohibitory order against payment of debts sold in execution to any other than the purchaser.

(Or. 21, r. 79, C. P. Code.)

District

In the Court of

at

Suit No. of 19 .

of

Plaintiff,

versus

of

Defendant

To

Whereas and to

has become the purchaser at a public sale in execution of the decree in the above suit of

being debts due from you

to you

: it is ordered that

you .

be, and you are hereby prohibited

from receiving, and you

from making

payment of, the said debt to any person or persons except the said

Given under my hand and the seal of the Court, this day of

19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
entis.

(Or. 21, rr. 90, 91, 92 C. P. Code.)

at

Suit No. **of 19** .

Plaintiff,

versus

Defendant.

Whereas the undermentioned property was sold on the _____ day of _____

19, in execution of the decree passed in the abovenamed
suit, and whereas the decree-holder (or judgment
debtor or purchaser) has applied to this Court to set aside the sale of the said
property on the ground ~~of a material irregularity (or fraud) in publishing (or conducting) the sale;~~
~~that the judgment-debtor had no saleable interest therein;~~

Take notice that if you have any cause to show why the said application should not be granted, you should appear with your proofs in this Court on the day of 19 , when the said application will be heard and determined.

Given under my hand and the seal of the Court, this day of

19 .

(Description of property.)

Judge.

Notes 1.—The alternatives set out in forms 36 and 37 of Appendix E, Schedule I, Code of Civil Procedure, have been provided for in the above form. Strike out, when employing it, the alternative which does not apply.

Note 2.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P) 48.**Order for delivery to certified purchaser of land at a sale in execution.**

(Or. 21, r. 95, C. P. Code.)

District

In the Court of

at

Suit No.

of 19 .

of

versus

of

To

THE BAILIFF OF THE COURT.

Whereas _____ has become the certified purchaser of*
 at a sale in execution of decree in _____ suit No.
 of 19 _____, you are hereby ordered to put the said
 the certified purchaser as aforesaid, into possession of the same.

Given under my hand and the seal of the Court, this _____ day of
 19 _____.

Judge.

*Here give specification of property.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
ante.

FORM No. (P) 49.**Summons to appear and answer charge of obstructing execution of decree**

(Or. 21, r. 97, C. P. Code.)

District

In the Court of

at

Suit No.of 19 .Execution case No.of 19 .

versus

*Plaintiff,**Defendant.*

To

Whereas _____, the decree-holder in the above suit
 has complained to this Court that you have resisted (or obstructed) the officer
 charged with the execution of the warrant for possession ;

You are hereby summoned to appear in this Court on the
 day of _____ 19 _____ at _____ a.m., to answer the said complaint.

Given under my hand and the seal of the Court, this _____ day of
 19 _____.

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
ante.

FORM No. (P) 50.**Notice of appeal in forma pauperis.**

(Or. 44, r. 1, C. P. Code.)

District

In the Court of

at

No. of 19 .

*Applicant,**versus**Opposite Party.*

Whereas the abovenamed has applied to be allowed to appeal as a pauper from the decree in the above suit dated the day of 19 , and whereas the day of 19 , has been fixed for hearing the application, notice is hereby given to you that if you desire to show cause why the applicant should not be allowed to appeal as a pauper, an opportunity will be given to you of doing so on the aforementioned date.

Given under my hand and the seal of the Court, this day of

19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P) 51.**Notice to respondent of the day fixed for the hearing of the appeal.**

(Or. 41, r. 14, C. P. Code).

District

In the Court of

at

*Appellant,**versus**Respondent.*

Appeal from the

of the Court of

dated the

day of

19 .

To

Respondent.

Take notice that an appeal from the decree of
 in this case has been presented by
 . . . and registered in this Court and that the
 day of 19 , has been fixed by this Court for the
 hearing of this appeal.

If no appearance is made on your behalf by yourself, your pleader, or by
 some one by law authorised to act for you in this appeal, it will be heard
 and decided in your absence.

Given under my hand and the seal of the Court, this day of

19 .

Judge.

Note 1.—If a stay of execution has been ordered, intimation should be given of the fact in this notice.

Note 2.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

(Or. 41, r. 20, C. P. Code.)

at

versus..

To

Whereas you were a party in suit No. _____ of 19____, in the Court of _____, and whereas the _____ has preferred an appeal to this Court from the decree passed against him in the said suit and it appears to this Court that you are interested in the result of the said appeal :

This is to give you notice that this Court has directed you to be made a respondent in the said appeal and has adjourned the hearing thereof till the day of 19 , at a.m. If no appearance is made on your behalf on the said day and at the said hour the appeal will be heard and decided in your absence.

Given under my hand and the seal of the Court, this day of

19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 *ante*.

FORM No. (P) 53.**Notice to show cause why a review should not be granted.**

(Or. 47, r. 4, C. P. Code.)

District

In the Court of

at

*Plaintiff,**versus**Defendant.*

To

Take notice that _____ has applied to this Court for a review of its decree passed on the _____ day of _____ 19 ____ in the above case. The day of _____ 19 ____ is fixed for you to show cause why the Court should not grant a review of its decree in this case.

Given under my hand and the seal of the Court, this _____ day of _____ 19 ____

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P) 54.**Notice of application for the transfer of a suit to another court for trial.**

(Section 24, C. P. Code.)

In the Court of the District Judge of

No. _____ of 19 ____

To

Whereas an application, dated the _____ day of _____ 19 ____ has been made to this Court by _____ the _____ in suit No. _____ of 19 ____ now pending in the Court of the _____ at _____ in which _____ is Plaintiff _____ and _____ is Defendant _____ for the transfer of the suit for trial to the Court of the _____ at _____ :—

You are hereby informed that the _____ day of _____ 19 ____ has been fixed for the hearing of the application, when you will be heard if you desire to offer any objection to it.

Given under my hand and the seal of the Court, this _____ day of _____ 19 ____

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

(Section 145, C. P. Code.)

at

Plaintiff,

Defendant.

Whereas you _____ did on _____ become
liable as surety for the performance of any decree which might be passed
against the said _____ defendant in the above
suit ; and whereas a decree was passed on the _____ day of _____ 19 ____
against the said defendant for the payment of _____ and whereas
application has been made for execution of the said decree against you :

Take notice that you are hereby required on or before the day of
19 to show cause why the said decree should
not be executed against you, and if no sufficient cause shall be, within the
time specified, shown to the satisfaction of the Court, an order for its execu-
tion will be forthwith issued in the terms of the said application.

Given under my hand and the seal of the Court, this day of
19. .

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1-A.

FORM No. (P) 56.**First notice to take back documents.**

In the Court of

Suit/Case No. of

Plaintiff.

Defendant.

The parties should apply as soon as possible for the return of all exhibits which they may wish to preserve, as they will be destroyed at the time prescribed by the High Court.

Presiding Officer of the Court.

Dated

FORM No. (P) 57.**Final notice to take back documents.**

In the Court of

Suit/Case No. of

Plaintiff.

Defendant.

The parties in this case are hereby required to take back the document produced by them, being exhibits in the case, within one month from the date of this Notice. If they fail to take them back within that time the documents will be destroyed as prescribed by the High Court.

Presiding Officer of the Court.

Dated

Note.—This Notice should if possible, also be served upon the pleaders and parties concerned at their last known address (see rules 559 and 560, Ch. 20, Part III, Civil Rules and Orders, Vol. I.)

FORM No. (P) 58.

Notice to Landlord of deposit of rent in Court.

[Section 61, Clauses (a) and (b) of the Bengal Tenancy Act, VIII of 1885.]

(Section 63, Clause (2) of Act VIII of 1885.)

ভূম্যধিকারীর প্রতি আদালতে খাজানা আমানৎ হওয়ার নোটিস্।

[১৮৮৫ সালের ৮ আইনের ৬৩ ধারার ২ প্রকরণ।]

[বঙ্গদেশীয় প্রজাব্যবসায়িক ১৮৮৫ সালের ৮ আইনের ৬১ ধারা (এ) ও (বি) প্রকরণ।]

জেলা

মোকাম

সাকিনের ত্রী

আদালত।

প্রতি

জানান যাইতেছে যে,

তারিখ পর্যন্ত

র

পুত্র

নিবাসী

র

জ্যোত বা জমা বাবৎ আপনার প্রাপ্য সম্পূর্ণ খাজানা

টাকা ঐ

তারিখে ঐ ব্যক্তি কর্তৃক এই আদালতে আপনার জন্য আমানৎ হইরাছে এবং দরখাস্ত করিলে
 ঐ টাকা আপনাকে অথবা আপনার রীতিমত ক্ষমতাপ্রাপ্ত কর্মচারীকে দেওয়া হইবে এবং
 আপনাকে জানান যাইতেছে যে, উক্ত জ্যোত বা জমার খাজানা সম্বন্ধে উক্ত
 বিরুদ্ধে আপনার আর কোন দাবী দাওয়া থাকিলে এই নোটিস্ প্রাপ্ত হওয়ার তারিখ হইতে
 পঞ্জিকা অমুখ্যারী ছয়মাস মধ্যে ঐ দাবী বা দাওয়া সাব্যস্ত অন্য আপনি আদালতে নালিশ করু
 করিবেন, নতুবা আপনার দাবী চিরকালের জন্য বারিত হইবে।


 আদালতের
 মোহর।

তারিখ

অবস্থা

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 and.

FORM No. (P) 59.

Notice to co-sharers of the deposit of rent in Court.

[Section 61, Clause (c) of the Bengal Tenancy Act, VIII of 1885.]

(Section 63, Clause (2) of Act VIII of 1885.)

সরিকদিগের প্রতি আদালতে খাজানা আমানৎ হওয়ার নোটিস্।

[১৮৮৫ সালের ৮ আইনের ৬৩ ধারা।]

[বঙ্গদেশীয় প্রজাবিবরণীর ১৮৮৫ সালের ৮ আইনের ৬১ ধারা (সি) প্রকরণ।]

জেলা

আদালত।

এতদ্বারা জানান যাইতেছে যে, তারিখ পর্যন্ত র
পুত্র নিবাসী র জমা বাবৎ দেনা সম্পূর্ণ খাজানা
টাকা ঐ তারিখে উক্ত এই বলিয়া এই
আদালতে আমানৎ করিয়াছেন যে, তিনি ঐ টাকার জন্য সকল সরিকের এজমালি রসিদ
প্রাপনে অসমর্থ এবং তাঁহাদিগের পক্ষে ঐ খাজানা গ্রহণে কোন ব্যক্তি ক্ষমতাপ্রাপ্ত হন নাই।
প্রজার দরখাস্তে যে সকল সরিকের নাম লিখিত হইরাছে তাহা এই :—

ইহাও জানান যাইতেছে যে, আমানতের তারিখ পর্যন্ত উক্ত
খাজানা সর্বদে তাঁহার প্রতিকূলে আর কোন দাবী দাওয়ার নালিশ আপনি এই নোটিস্ প্রাপ্ত
হওয়ার তারিখ হইতে পঞ্জিকানুযায়ী ছয়মাস অতীত হওয়ার পর গ্রাহ্য হইবে না।



আদালতের
মোহর।

তারিখ

অক্ষ।

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
only.

FORM No. (P) 60.

Notice of the deposit of the rent in Court to persons believed to claim, or to be entitled to the rent, or who are entitled to it.

[Section 61, Clause (d) of the Bengal Tenancy Act, VIII of 1885.]

(Section 63 of Act VIII of 1885.)

বাঁহারা খাজানা দাবী করা বা খাজানা পাওয়ার অধিকারী থাকা
বিশ্বাস করা যায় কি বাঁহারা খাজানা পাওয়ার অধিকারী হন
তাঁহাদের প্রতি আদালতে খাজানা আদান হওয়ার
নোটিস্।

[১৮৮৫ সালের ৮ আইনের ৬৩ ধারা।]

[বঙ্গদেশীয় প্রজাস্বত্বসংক্রান্ত ১৮৮৫ সালের ৮ আইনের ৬১ ধারার (ডি) প্রকরণ।]

জেলা

আদালত
প্রতি।

আপনাকে জানান যাইতেছে যে,

তারিখ পর্যন্ত

র

পুত্র

নিবাসী

র জোত বা

জমা বাবত দেনা সম্পূর্ণ খাজানা

টাকা ঐ তারিখে উক্ত

এই বলিয়া এই আদালতে আদান করিয়াছেন যে, ঐ টাকা যে ব্যক্তি বা যে সকল ব্যক্তি
পাওয়ার অধিকারী তৎসম্বন্ধে তাঁহার প্রকৃতপক্ষে সন্দেহ আছে। আপনি ঐ টাকা পাওয়ার
অধিকারী ইহা আদালতের প্রত্যয় জন্মাইতে পারিলে ঐ টাকা আপনাকে অথবা আপনার
রীতিমত ক্রয়প্রাপ্ত কর্মচারীকে দেওয়া বাইবেক। এবং আপনাকে জানান যাইতেছে যে
আদানতের তারিখ পর্যন্ত উক্ত র খাজানা সম্বন্ধে
তাঁহার প্রতিকূলে আর কোন দাবী দাওয়ার নালিশ আপনি এই নোটিস্ প্রাপ্ত হওয়ার তারিখ
হইতে পঞ্জিকাভবায়ী ছয়মাস অতীত হওয়ার পর গ্রাহ্য হইবে না।

আদালতের
নোহর।

তারিখ

অব।

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
ante.

FORM No. (P) 61.

Notice to minor defendant and guardian of application for appointment of the guardian to be guardian for this suit.

[Or. 32, r. 3, C. P. Code, and s. 148 (h), Bengal Tenancy Act.]

District

In the Court of

at

Rent Suit No.

of 19 .

Plaintiff.

versus

Defendant.

To

Minor defendant.

*Natural Guardian, or the person
in whose care the minor is.*

Whereas an application has been presented on the part of the plaintiff in the above case for the appointment of you* as guardian for the suit to the minor defendant, you the said minor and you* are hereby required to take notice that unless within days from the service upon you of this notice, you appear and object to being appointed to act as the guardian of the minor defendant for the suit, you will be appointed and treated as the guardian of the minor defendant for the purpose of this suit, unless the court otherwise directs.

Given under my hand and the seal of the Court, this day of

19 .

Judge.

*Here insert name of guardian.

Notes.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 and.

FORM No. (P) 62.

Notice to third person of payment into Court of rent due to him.

(Section 149 of the Bengal Tenancy Act, VIII of 1885.)

তৃতীয় ব্যক্তির প্রাপ্য খাজানা আদালতে আমানৎ হওয়া সম্বন্ধে
এ ব্যক্তির প্রতি নোটিস্।

[বঙ্গদেশীয় প্রজাব্যবস্থাসম্বন্ধীয় ১৮৮৫ সালের ৮ আইনের ১৪৯ ধারা।]

জেলা

আদালত।

সন

সালের

নং মোকদ্দমা বাহাতে

বাদী

এবং

প্রতিবাদী

প্রতি।

আপনাকে জানান হইতেছে যে, এই মোকদ্দমার প্রতিবাদী মং টাকা এই
বলিয়া আদালতে আমানৎ করিয়াছেন যে, ঐ টাকা আপনার প্রাপ্য, বাদীর প্রাপ্য নহে।

আপনাকে ইহাও জানান হইতেছে যে এই নোটিস্ পাওয়ার তারিখ হইতে তিনমাস
অধ্য বাদীর নামে নালিশ রুজু না করিলে ও ঐ নালিশে উক্ত টাকা দেওনের নিষেধাজ্ঞা
প্রাপ্ত নী হইলে বাদীর দরখাস্ত মতে ঐ টাকা বাদীকে দেওয়া হইবে।

অন্য সন ১৯

সালের

তারিখে আমার দস্তখৎ ও আদালতের

মোহর যুক্তমতে দেওয়া হইল।

• আদালতের
মোহর।

তারিখ

স্বাক্ষর।

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 and 2.

[Clause (b) of sub-section (2) of section 163 of the Bengal Tenancy Act, 1885
(VIII of 1885).]

District

of 19 .

of Decree-holder.

of Judgment-debtor.

Whereas the judgment-debtor in the above case has failed to satisfy the decree in the suit mentioned in the margin amounting with costs and interest up to date of sale, to the sum of Rs. as pias , notice as hereby given that an order under section 163 of the Bengal Tenancy Act, 1885, has been made for the attachment and sale of the tenure or holding mentioned in the annexed schedule in satisfaction of the claim.

The judgment-debtor is hereby prohibited and restrained, until further orders of this Court, from transferring or charging the property specified in the schedule hereunto annexed, by sale, gift, or otherwise and that all persons be and that they are hereby prohibited from receiving the same by purchase, gift or otherwise.

The tenure (or holding) is thus attached and will be sold by public auction, and the said occupancy holding will be sold with power to annul all incumbrances.

In the absence of any order of postponement, the sale will be held by _____ at the monthly sale, commencing at _____ o'clock on the _____ at _____. In the event, however, of the debt above specified and of the cost of the sale being tendered or paid before the tenure or holding is knocked down, the sale will be stopped.

At the sale the public generally are invited to bid, either personally or by duly authorised agent. No bid by or on behalf of the judgment-debtor above-mentioned, however, will be accepted. The following are the further—

Conditions of sale.

(1) The particulars specified in the schedule below have been stated to the best of the information of the Court but the Court will not be answerable for any error, mis-statement or omission in this proclamation.

(2) The amount by which the biddings are to be increased shall be determined by the officer conducting the sale. In the event of any dispute arising as to the amount bid, or as to the bidder, the lot shall at once be again put up to auction.

(3) The highest bidder shall be declared to be the purchaser of any lot provided always that he is legally qualified to bid, and provided that it shall be in the discretion of the Court or officer holding the sale to decline acceptance of the highest bid when the price offered appears so clearly inadequate as to make it advisable to do so.

(4) For reasons recorded, it shall be in the discretion of the officer conducting the sale to adjourn it, subject always to the provisions of Order XXI, Rule 69 of the Code of Civil Procedure.

(5) The person declared to be the purchaser shall pay, immediately after such declaration, a deposit of 25 per cent. on the amount of his purchase-money to the officer conducting the sale and in default of such deposit, the tenure or holding shall forthwith be again put up and resold.

(6) The full amount of the purchase-money shall be paid by the purchaser before the Court closes on the fifteenth day after the sale of the tenure or holding, exclusive of such day, or if the fifteenth day be a Sunday or other holiday, then on the first office day after the fifteenth day.

(7) In default of payment of the balance of purchase-money within the period allowed, the tenure or holding shall be re-sold after the issue of a fresh notification of sale. The deposit, after defraying the expenses of the sale, shall be forfeited to Government, and the defaulting purchaser shall forfeit all claim to the tenure or holding, or to any part of the sum for which it may be subsequently sold.

Given under my hand and the seal of the Court, this day of
19 .

Signature of Presiding Officer

Schedule of Property.

| Number of lot. | Description of the tenure or holding to be sold, and name of pargana, estate and village in which the land comprised in it is situate. | Extent of interest of judgment-debtor. | The yearly rent payable for the tenure or holding. | Detail of any incumbrances to which the property is liable. | Claims, if any, which have been put forward to the property and any other known particulars bearing on its nature and value. |
|----------------|--|--|--|---|--|
| | | | | | |

FORM No. (P) 64.**Order of attachment and proclamation of sale of tenure or holding subject to incumbrances in execution of a decree.**

[Clause (a) of sub-section (2) of section 163 of the Bengal Tenancy Act, 1885 (VIII of 1885).]

In the Court of the

District

Execution Proceedings No.

of 19 .

of Decree-holder.

of Judgment-debtor.

Whereas the judgment-debtor in the above case has failed to satisfy the decree in the suit mentioned in the margin amounting with costs and interest up to date of sale, to the sum of Rs. As. pies , notice is hereby given that an order under section 163 of the Bengal Tenancy Act, 1885, has been made for the attachment and sale of the tenure or holding mentioned in the annexed schedule in satisfaction of the claim.

Suit No. of 19 ,
decided by the ,
of in which
 was plaintiff,
and was defendant.

The judgment-debtor is hereby prohibited and restrained, until further orders of this Court, from transferring or charging the property specified in the schedule hereunto annexed, by sale, gift, or otherwise and that all persons be and that they are hereby prohibited from receiving the same by purchase, gift or otherwise.

The tenure (or holding) is thus attached and will be sold by public auction and "the said tenure or holding" will first be put up for sale subject to be registered and notified incumbrances, and will be sold subject to those incumbrances if the sum bid is sufficient to liquidate the said sum of Rs. , being the amount of the said decree and costs still remaining unsatisfied, and that otherwise it will, if the decree-holder so desires, be sold on a subsequent day, of which due notice will be given with power to annul all incumbrances.

In the absence of any order of postponement, the sale will be held by at the sale, commencing at o'clock on the of 19 . In the event, however, of the amount above specified and of the cost of the sale being tendered or paid before the tenure or holding is knocked down, the sale will be stopped.

At the sale the public generally are invited to bid, either personally or by duly authorised agent. No bid by or on behalf of the judgment-debtor above-mentioned, will however, be accepted. The following are the further—

Conditions of sale.

(1) The particulars specified in the schedule below have been stated to the best of the information of the Court but the Court will not be answerable for any error, mis-statement or omission in this proclamation.

(2) The amount by which the biddings are to be increased shall be determined by the officer conducting the sale. In the event of any dispute arising as to the amount bid, or as to the bidder, the tenure or holdings shall at once be again put up to auction.

(3) The highest bidder shall be declared to be the purchaser provided always that he is legally qualified to bid, and provided that it shall be in the discretion of the Court or of the officer holding the sale to decline acceptance of the highest bid when the price offered appears so clearly inadequate as to make it advisable to do so.

(4) For reasons recorded, it shall be in the discretion of the officer conducting the sale to adjourn it, subject always to the provisions of Order XXI, Rule 69 of the Code of Civil Procedure.

(5) The person declared to be the purchaser shall pay, immediately after such declaration, a deposit of 25 per cent. on the amount of his purchase-money to the officer conducting the sale and in default of such deposit, the tenure or holding shall forthwith be again put up and resold.

(6) The full amount of the purchase-money shall be paid by the purchaser before the Court closes on the fifteenth day after the sale of the tenure or holding, exclusive of such day, or if the fifteenth day be a Sunday or other holiday, then on the first office day after the fifteenth day.

(7) In default of payment of the balance of purchase-money within the period allowed, the tenure or holding shall be re-sold after the issue of a fresh notification of sale. The deposit, after defraying the expenses of the sale, shall be forfeited to Government, and the defaulting purchaser shall forfeit all claim to the property or to any part of the sum for which it may be subsequently sold.

Given under my hand and the seal of the Court, this 19th day of

Seal of
Court.

Signature of Presiding Officer.

Schedule of Property.

| Number of lot. | Description of the tenure or holding to be sold, and name of pargana, estate and village in which the land comprised in it is situate. | Extent of interest of judgment-debtor. | The yearly rent payable for the tenure or holding. | Detail of any incumbrances to which the property is liable. | Claims, if any, which have been put forward to the property and any other known particulars bearing on its nature and value. |
|----------------|--|--|--|---|--|
| | | | | | |

FORM No. (P) 65.**Notice calling for claimants to property in intestate cases.**

[Section 7, Regulation V (Bengal) of 1799.]

In the Court of the District Judge of**at***Case No. of 19 .*

In the matter of the estate of the
late———of , who
died intestate.

Whereas it has been intimated to this Court that the aforesaid
of died on or about the
last without, as far as it appears, any heir, but leaving movable properties ;

It is hereby notified that any person who has a claim to receive the said
properties as an heir, executor, or administrator to the deceased, or in any
other capacity, is required to appear and prove his claim in this Court. If any
person appears and proves his or her right to the said properties within a year
the properties will be made over to the said person after he or she shall
have deposited the necessary expenses incurred in taking care of the said
properties ; otherwise the said properties shall be sold and the sale proceeds
appropriated by Government.

Dated this day of 19 .

District Judge.

FORM No. (P) 66.**Notice to claimant of date fixed for the determination of objection.**

(Section 20 of the Land Acquisition Act, I of 1894.)

In the Court for the disposal of cases under the Land Acquisition Act, I of 1894.

In the matter of
and the Land Acquisition Act, 1894.

To

Whereas objection has been taken by to the award made
by in respect of the and measur-
ing more or less highas cottahs chitaks feet, the same being
required for a public purpose namely, for
on the following grounds, namely :—
and whereas the matter has been referred to this Court for determination :—

Take notice that the Court will proceed to determine the aforesaid objection
on the day of 19 , at o'clock
in the forenoon, and that in default of your appearance on the said day, the
case will be proceeded with in your absence.

Given under my hand and the seal of the Court, this day of
19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
ante.

FORM No. (P) 67.**Notice to Collector of date fixed for hearing his reference.**

(Section 20 of the Land Acquisition Act, I of 1894.)

In the Court for the disposal of cases under the Land Acquisition Act, 1894.

In the matter of
and the Land Acquisition Act, 1894.

To

Take notice that the abovementioned case, which was referred by you in
your letter No. , dated the day of 19 , for the
determination of this Court, has been set down for hearing on the day
of 19 , at o'clock in the forenoon, and that in
default of your appearance on the said day the case will be proceeded with in
your absence.

Given under my hand and the seal of the Court, this day of
19 .

Judge.

FORM No. (P) 68.

Notice to Collector of application made for Probate of Will and for Letters of Administration.

[Section 19H, clause (1), of the Court-fees Amendment Act, XI of 1899.]

In the Court of the

at

In the goods of

deceased

of thana district

To

THE COLLECTOR OF

Notice is hereby given that an application has this day been made to this Court by Pleader/Attorney for of thana district for Probate of the Will Letters of Administration of the property and credits of the deceased abovenamed.

The amount of assets which are likely to come into the petitioner's hands is stated by the petitioner to be Rs.

Dated the day of 19 .

District Judge or Delegate.

Note.—When detailed inventories of the property of deceased persons are filed by applicants for Probate or for Letters of Administration at the time of applying, copies of these inventories should be appended to the notice, and sent together with it to the Collector. When the inventory is filed at a date subsequent to the application, a copy should be forwarded to the Collector as soon as it is received.—(G. L. No. 6 of 19th June 1901.)

FORM No. (P) 69.**Notice of date fixed for hearing Probate or Letters of Administration cases.**

(Section 283 of the Succession Act, XXXIX of 1925.)

In the Court of the District Judge of

NOTICE.*No. of 19 .*

Whereas an application under the Indian Succession Act, 1925, for grant Probate of the Will (*or*, for Letters of Administration to the estate) of late of has been made by , and whereas the 19 has been fixed for the hearing of this case, notice is hereby given that any person having any interest in the administration of the estate of the said deceased may, if he desires, appear in this Court on the said day of 19 , and see the proceedings before the grant of Probate (*or*, of Letters of Administration).

Given under my hand and seal of this Court.

COURT,

*The**19 .**Judge.*

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P) 70.

Notice calling on certificate-holder for accounts.

(Indian Succession Act, 1925.)

সার্টিফিকেট প্রাপ্ত ব্যক্তির প্রতি হিসাব দাখিলের নোটিস্।

[১৯২৫ সালের ৩৯ আইন।]

মোকাম

স্থিত

জেলার জজ আদালত।

মোকদ্দমা নং

সন ১৯

সাল।

নিবাসী শ্রী

প্রতি।

বেহেতু প্রকাশ যে, আপনি

পাওনা টাকা

আদায়ের সার্টিফিকেট্ গ্রহণ করিয়া সার্টিফিকেটের বলে আদায় হওয়া টাকার হিসাব সার্টিফিকেটের হুকুমতে দাখিল করেন নাই, একারণ আপনার নামে এই এন্ডেলানাম জারী করা যাইতেছে যে, আপনি সার্টিফিকেটের বলে আদায় হওয়া টাকার প্রকৃত হিসাব ১৫ দিনের মধ্যে দাখিল করিবেন, তাহা না করিলে আইন মত আচরণ করা যাইবে।

মোকাম

সন ১৯

জেলা জজ।

তারিখ

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 and.

FORM No. (P) 71.

Order transmitting to other Courts for publication of a notice of application for the grant of a certificate.

(Section 373 of the Succession Act, XXXIX of 1925.)

District

In the Court of _____ at _____

Case No. _____ of 19 .

Applicant.

Whereas an application has been made to this Court by

resident of _____ District _____ for the

grant of a certificate under Act XXXIX of 1925, and whereas, in view of the terms of section 373 of the said Act, it is desirable that notice of the said application be sent to the Munsif within whose jurisdiction the deceased*

of _____ resided at the time of his death, together with intimation of the date fixed for the hearing of the aforesaid application :—

It is accordingly ordered :

That this order, together with a copy of the notice fixing the date for the hearing of the said application, be forwarded to the Munsif of

with the request that he will duly publish the notice by posting it in some conspicuous part of his Court-house, and forward a report of his having done so to this Court on or before the _____ day of _____ 19

Dated this _____ day of _____ 19 .

Presiding Officer of the Court.

*Give necessary particulars.

FORM No. (F) 72.**Notice inviting other claimants to representation to come forward.**

(Section 373 of the Indian Succession Act, 1925.)

স্থলাভিষিক্ত হওনের অন্ত্যস্ত দাবীদারগণের প্রতি উপস্থিত
হইবার নোটিস্।

[১৯২৫ সালের ৩৯ আইনের ৩৭৩ ধারা।]

মোকাম

স্থিত জেলা

অবস্থান

মোকদ্দমা নং

সন ১৯

সাল।

আবেদনকারী উক্ত প্রার্থনার সন ১৯

সালের

তারিখে দরখাস্ত করার

এই মোকদ্দমা বিচারের নিমিত্ত আগামী

দিন ধার্য

হইয়াছে, অতএব এই বিজ্ঞাপন প্রচার দ্বারা জানান যাইতেছে যে, যদি যত ব্যক্তি

অথ কেহ উত্তরাধিকারী বা তাঁহার তত্ত্ব সম্পত্তির অধিকারী থাকেন

কিবা আবেদনকারীর প্রার্থনার বিরুদ্ধে কেহ আপত্তি উপস্থিত করিতে ইচ্ছা করেন তবে

উপরোক্ত নির্দিষ্ট দিবসে তিনি বা তাঁহার দ্বারা বা উকীল দ্বারা উপস্থিত হইয়া আপন আপন

আপত্তি দর্শান ও তৎপোষকে যে দলিল ও সাক্ষ্য দিতে ইচ্ছা করেন তাহা ঐ দিবসে উপস্থিত

করিতে প্রস্তুত থাকেন।

মোকাম

সন ১৯

তারিখ

জেলা অবস্থান।

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 and.

FORM No. (P) 73.**Notice of application made for guardianship and of date fixed for hearing.**

(Section 11 of the Guardians and Wards Act, VIII of 1890.)

District

In the Court of the

at

*Present :**Case No. of 19 .*

Inhabitant of

*Petitioner.*Application for the ⁽¹⁾of guardian to the ⁽²⁾

———of

a minor, inhabitant of

The petitioner abovenamed having applied to be ⁽³⁾

the

guardian of the ⁽²⁾

of the aforesaid minor, the

day of

19 has been fixed for the hearing of the application,

and notice is hereby given to ⁽⁴⁾

that if any other

relative, friend, kinsman, or well-wisher of the aforesaid minor desire to be

appointed or declared as guardian of the ⁽²⁾

of the said minor, he

should enter appearance in person in this Court on the aforesaid date, and be

prepared to adduce on that day any documentary and oral evidence he may

desire to adduce in support of his claim to such appointment or declaration.

Given under my hand and the seal of this Court, this

day of

19 .

⁽¹⁾ Appointment or declaration, as the case may be.⁽²⁾ State whether to the person or the property of the minor or to both.⁽³⁾ Appointed or declared.⁽⁴⁾ Name of person in case of notice under clause (a) of section 11 ; " the public " in case of general notice under clause (b).

FORM No. (P) 74.**Form under the Transfer of Property Act.****Notice of Deposit.**

(Section 83 of the Transfer of Property Act, IV of 1882.)

In the Court of

at

*Mortgage Suit No. of 19 .**Plaintiff,**versus**Defendant.*

To

Take notice that A. B. has deposited in this Court to your account the sum of Rs. said to be the sum remaining due on a mortgage executed on the day of 19 between

Given under my hand and the seal of the Court, this the—day of 19

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 ante.

FORM No. (P) 75.**Notice to creditors of the date of hearing of an insolvency petition.**

(Section 19 of the Provincial Insolvency Act, V of 1920.)

In the Court of the Judge at

Insolvency Application No. of 19

Whereas A. B. has applied to this Court, by a petition dated of 19 , to be declared an insolvent under the Provincial Insolvency Act, V of 1920, and your name appears in the list of creditors filed by the aforesaid debtor, this is to give you notice that the Court has fixed the day of 19 for the hearing of the aforesaid petition and the examination of the debtor. If you desire to be represented in the matter you should attend in person or by duly instructed pleader. The particulars of the debt alleged in the petition to be due to you, are as follows.

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1

FORM No. (P) 76.**Notice of application by unsecured creditor.**

[Section 33 (3), Act V of 1920.]

In the Court of the—Judge at

In the matter of
*No.**of 19 .**, an Insolvent*

To

Whereas an application has been made to this Court by
 who claims to be a creditor of whose
 application to be declared an insolvent was filed in this Court, on the
 day of 19 for permission to produce evidence of the amount
 and particulars of his pecuniary claims against the insolvent, and for an order
 directing his name to be entered in the schedule as a creditor for the debts
 which he may prove: This is to give notice that the said application will be
 heard in this Court on the day of 19
 when you should appear personally, or by pleader, if you desire to object to
 it.

Given under my hand and the seal of the Court, this the day
 of 19 .

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
ante.

FORM No. (P) 77.**Notice to creditors of the date of consideration of a composition or scheme of arrangement.**

[Section 38 (1) of the Provincial Insolvency Act, V of 1920.]

In the Court of the—Judge at

*Insolvency Application No. of 19 .**Applicant.*

Take notice that the Court has fixed the day of
 19 , for the consideration of a composition (or scheme of arrangement)
 submitted by A.B. the debtor in the above insolvency petition. No creditor
 who has not proved his debt before the aforesaid date will be permitted to
 vote on the consideration of the above matter. If you desire to be represented
 at the abovementioned hearing you should be present in person or by duly
 instructed pleader with your proofs.

Judge.

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1
ante.

FORM No. (P) 78.**Notice to creditors of application for discharge.**

[Section 41 (1) of the Provincial Insolvency Act, V of 1920.]

In the Court of the—Judge at

*Insolvency case No.**of 19 .**Applicant.*

Take notice that the abovenamed insolvent has applied at the Court for his discharge, and that the Court has fixed the day of 19 at o'clock for hearing the application.

*Dated this day of 19**Judge.*

Note 1.—On the back of this notice the provisions of section 42 (1), Act V of 1920 should be printed.

Note 2.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 *ante*.

FORM No. (P) 79.**Notice to persons claiming to be creditors of intention to declare final dividend.**

•[Section 64 of the Provincial Insolvency Act, V of 1920.]

In the Court of the—Judge at

*In the matter of**Insolvency Application No.**of 19 .**Applicant.*

Take notice that a final dividend is intended to be declared in the above matter, and that if you do not establish your claim to the satisfaction of the Court on or before the day of 19 , or such later day as the Court may fix, your claim will be expunged, and I shall proceed to make a final dividend without regard to such claim.

Dated this day of 19 .

To X. Y.

G. H.

Receiver, [Address].

Note.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1 *ante*.

FORM No. (P) 80.**Summary administration notice to creditors.**

[Section 74 of the Provincial Insolvency Act, V of 1920.]

In the Court of the—Judge at

*Insolvency case No.**of 19 .**Applicant.*

Take notice that on the day of 19 , the abovenamed debtor presented a petition to this Court praying to be adjudicated an insolvent and that on the day of 19 , the Court being satisfied that the property of the debtor is not likely to exceed Rs. 500, directed that the debtor's estate be administered in a summary manner and appointed the day of 19 for the further hearing of the said petition and examination of the said debtor.

Also take notice that the Court may on the aforesaid date then and there proceed to adjudication and distribution of the assets of the aforesaid debtor. It will be open to you to appear and give evidence on that date. Proof of any claim you desire to make must be lodged in Court on or before that date.

Given under my hand and the seal of the Court, this
day of 19 .

*Judge.***FORM No. (P) 81.****General Notice under Section 5, Sub-section (2), of the Bengal Alluvial Lands Act, 1920 (Bengal Act V of 1920).**

In the Court of the of in the district of .

Whereas the Collector of has, under sub-section (1) of section 5 of the Bengal Alluvial Lands Act, 1920 (Bengal Act V of 1920) passed an order making a reference to ^{this Court} ~~the Court of the District Judge of~~ , for a decision as to what person has a title to the alluvial land formed ^{in the bed of the} ~~at the mouth of the~~ river adjoining mouza , police-station , in the said district of .

And whereas the Collector has, in his said order of reference, stated that he has reason to believe that the persons mentioned below are claimants to the said land, viz :—

And whereas under sub-section (2) of section 5 of the Act the matter has been transferred to this Court for determination ;

Now, therefore, in pursuance of the second paragraph of sub-section (2) of section 5 of the Act, notice is hereby given to all persons other than those named above, claiming interest in the said land, to appear in this Court in person or by a duly authorised agent, on or before the and to file statements of their respective claims.

Given under my hand and the seal of the Court, this
day of 19 .

Signature.

FORM No. (P) 82.**Notice of Time and Place of Inquisition.**

(Section 40 of the Indian Lunacy Act, 1912.)

In the Court of the District Judge of

To *No.* *of 19* .

(Name, description and place of residence.)

Whereas has presented a petition before this Court under section 63, sub-section (1) of the Indian Lunacy Act, 1912, praying that an inquisition be held concerning the state of the mind of under the provisions of the aforesaid Act and whereas this Court has ordered that such inquisition shall be held, you are hereby given notice that such inquisition will be held by this Court on at .

Given under my hand and the seal of this Court, this day of 19

*Judge.***FORM No. (P) 83.****Notice for Attendance of the alleged lunatic for personal examination.**

(Section 41 of the Indian Lunacy Act, 1912.)

In the Court of the District Judge of

To *No.* *of 19* .

(Name, description and place of residence.)

Whereas the Court has by order, dated , directed that an inquisition be held concerning the state of your mind.

Take notice that you are hereby required to attend at on the day of 19 , for the purpose of being personally examined.

Given under my hand and the seal of this Court, this day of 19 .

Judge.

FORM No. (P) 24.**Notice calling for Records under the provisions of Section 74 of the Village Self-Government Act.**

No.

District

In the Court of

at

To

THE PRESIDENT,

UNION COURT.

Whereas the defendant-petitioner has applied under section 74 of the Village Self-Government Act for trial of the suit No. of by this Court, you are therefore requested

if the value of the suit is over Rs. 25 and if the hearing has not yet commenced, to accept this notice as an order for transfer of the said suit and to forward all connected papers to this Court by

or

if the value of the suit is Rs. 25 or under and if the hearing has not yet commenced, to report by whether the opposite party has any objection to the transfer being granted together with the objection to the transfer, if any, filed by the opposite party.

If the hearing of the suit was commenced before the receipt of this notice you are requested to inform this Court.

Given under my hand and the seal of this Court, this
day of 19 .

Judge or Munsif.

FORM No. (P) 85.**Notice of Deposit to Money-lender.**

[Sec. 9 (1) of the Bengal Money-lenders Act (VII of 1933).]

Name of money-lender—

Address—

You are hereby informed that _____ of
has on _____ deposited in this court under section 9 (1)
of the Bengal Money-lenders Act, 1933, a sum of Rs. _____ (Rs.
on account of principal and Rs. _____ on account of interest) to your
account in connection with the loan of Rs. _____ which was made by you
to him on _____. You are requested to withdraw this amount
at your earliest convenience. Government accept no responsibility for any
loss which you may incur in connection with the aforesaid sum while it remains
in deposit with the Court.

Judge.

Address

Dated the _____

Notes.—Form on the reverse as in (P) 1-A and at the top of the front page as in (P) 1.

VI.—MISCELLANEOUS FORMS.

FORM No. (M) 1.

**Daily list of Plaints/Petitions/Execution applications/Memorandum of Appeals,
etc., registered.**

District

In the Court of at

day of 19

| Class and number in
the Register of suits/
miscellaneous cases/
execution cases/
appeals, etc. | Name of the first
plaintiff/petitioner/
appellant, etc. | Name of the first
defendant/opposite
party/respondent,
etc. | First date
fixed. | Purpose (<i>e.g.</i> , final
disposal, ascertain-
ing contest, notice,
etc.). |
|--|---|--|----------------------|---|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

Note 1.—First dates of all plaints, petitions, execution applications, appeals, etc., registered should be announced in this list within two days of registration.

Note 2.—Entries may be made in the same list from day to day until the form is exhausted. If the same list is used for suits, miscellaneous cases, execution cases, appeals, etc., cases should be grouped separately under the different heads. The presiding Judge shall put his dated signature below the last entry for each day and see that the list is posted daily at the sitting hour.

Note 3.—Owing to the difficulties known to be experienced in maintaining the lists in the notes above, the High Court favour the maintenance of a register in the same form in which the necessary entries shall be made from day to day and signed by the presiding Judge as indicated above. This register shall be laid at some conspicuous place in the Court room every day at the hour prescribed in Note 2 for inspection by parties and pleaders.

Note 4.—As to plaints, clerical labour may be saved and the numbers assigned to and the first date fixed for the suits with their purpose promptly notified by laying the Filing Register [No. (R) 12-A] every day at some conspicuous place in the Court-room at the prescribed hour after necessary entries in the appropriate columns, (after suitable modification), for inspection by parties and pleaders.

FORM No. (M) 2.

Daily Cause list.

In the Court of at

day of 19

Before

| Number and class
of cases fixed for
the day. | Result or date to
which adjourned. | Specific
orders
(if any)
in brief. | Number and
class of cases
fixed for the
day. | Result or date to
which adjourned. | Specific
orders
(if any)
in brief. |
|--|---------------------------------------|---|---|---------------------------------------|---|
| 1 | 2 | 3 | 1 | 2 | 3 |
| | | | | | |

Note 1.—The list shall be signed by the presiding Judge whose duty it is to see (i) that it is posted with column 1 filled in, not later than 1 p. m. (or 5 a. m. in the case of morning sitting) on the working day preceding that to which it relates and (ii) that proper entries are made in columns 2 and 3 of the list at least half an hour before he is timed to rise on the day to which the list relates.

Note 2.—In column 3 should be entered, in brief, orders requiring any specific action to be taken by the pleaders or parties, *e.g.*, orders for fresh summons or notice, commission, deposit of costs or processes, etc.

Note 3.—Judgments ready for delivery should also be announced in this list.

Note 4.—Cases adjourned for peremptory hearing should be underlined in red.

Note 5.—Owing to the difficulties known to be experienced in maintaining the cause lists, the High Court favours the maintenance of a register in the same form in which the necessary entries shall be made from day to day and signed by the presiding Judge as indicated above. The register shall be laid at some conspicuous place in the court room every day at the hour prescribed in Note 1 for inspection by parties and pleaders.

District

In the Court of the at

Before

| Date of hearing. | Class and No. of suit/miscellaneous case/appeals, etc. | Name of plaintiff/petitioner/appellant. | Name of defendant/opposite party/respondent. | Name of advocate or pleader for party in column 3. | Name of advocate or pleader for party in column 4. |
|------------------|--|---|--|--|--|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

Note 2.—Owing to the difficulties known to be experienced in maintaining the lists, the High Court favour the maintenance of a register in the same form in which the necessary entries shall be made and signed by the presiding Judge as indicated above. The register shall be laid at some conspicuous place in the Court room on the day and at the hour indicated in Note 1 and shall be made available every day thereafter for inspection by parties or pleaders.

FORM No. (M) 4.

**List of movable/immovable properties to be sold in execution of decrees at
12 noon on the day of 19**

District

In the Court of the at

| Serial
No. | No. and class of
case. | Names of
parties. | No. of lot and description of
property with price stated in
the sale proclamation. | | Extent of
interest of
judgment-
debtor. | Remarks. |
|---------------|---------------------------|----------------------|--|--|--|----------|
| 1 | 2 | 3 | 4 | | 5 | 6 |
| | | | | | | |

Note 1.—Incumbrances, claims, etc., should be entered in column 6.

Note 2.—The list shall be signed by the presiding Judge and stuck up in the Court where the sales are to be held, in the case of movables, not less than 7 days, and in the case of immovables, not less than 15 days before the date fixed for the commencement of each set of sales.

FORM No. (M) 5.**Notice of Decrees drawn up.**

District

In the Court of the at

Parties and their pleaders are hereby informed that the decrees in the following cases have been drawn up and that they should within three days from date inspect and sign the draft decrees before the Sheristadar in the office between the hours of and If no objection is made within the above period the decrees will be signed and sealed.

| Date of entry
in the list. | Class and No. of case. | Advocate or Pleader for
plaintiff or appellant. | Advocate or Pleader for
defendant or respondent. |
|-------------------------------|------------------------|--|---|
| 1 | 2 | 3 | 4 |
| | | | |

Note 1.—Entries may be made in the same list from day to day until the form is exhausted. The presiding Judge shall put his dated signature below the last entry for each day.

Note 2.—Owing to the difficulties known to be experienced in maintaining the lists, the High Court favour the maintenance of a register in the same form in which the necessary entries shall be made from day to day and signed by the presiding Judge as indicated above. The register shall be placed daily at some conspicuous place in the court room for inspection by parties and their pleaders.

Note 3.—List of Sale Certificates prepared shall be notified to applicants or their pleaders in a register maintained in this form with suitable modifications as soon as they are ready for delivery.

FORM No. (M) 6.**Diary of Commissioners.**

| 1. No. of case and Court
2. Names of parties
3. Date of receipt of commission
4. Nature of work.
5. Date of commencement of work
6. Particulars of journey to and from locale with dates and hours occupied in each stage.
7. Original date fixed for return of commission.
8. Extensions of time, if any, with dates.
9. Date of submission of report | Work done from day to day. | | | Remarks. |
|--|----------------------------|---|-----------------------------------|----------|
| | Day. | Short memorandum of business done daily to be recorded daily. | Hours between which work is done. | |
| | | | | |

Note 1.—A day's work consists of 6 hours.

Note 2.—Particulars of journey and time spent in travelling should be noted.

FORM No. (M) 7.**Form for inspection of Courts.**

(See Appendix I to Part IX, Volume I, page 441)

FORM No. (M) 7-A.**Form for inspection of record room.**

(See Appendix II to Part IX, Volume I, page 457)

FORM No. (M) 8.

**Form for submission to the High Court of confidential reports regarding
Munsifs, etc.**

(See Appendix to Part VII, Volume I, page 365)

FORM No. (M) 9.

**Form of Memo. from the District Judge to Munsif, Subordinate Judge, etc.,
and vice versa.**

Reply.

Memo. No.

Memo. No.

The

19 .

The

19 .

FROM

FROM

THE¹

THE¹

To

To

THE¹

THE¹

Subject :-

1 District Judge or Subordinate Judge or Munsif.

FORM No. (M) 9(I).

**Short Form of memorandum from the District Judge to other judicial officers
and vice versa.**

Memo. No.

FROM .

To

Dated

, the

, 19

SUBJECT :-

(Size should be foolscap cut into equal half to economise paper.)

FORM No. (M) 10.**Requisition for records.**

No.

District

In the Court of

at

CIVIL JURISDICTION.*Present :*

Under the provisions of Or. 13, r. 10(1), C. C. P.*/In the circumstances set forth below§ it is hereby ordered that the† be requested to forward the record of suit/case No. of . decided by on the day of 19 , to this Court by‡

*(Signature and office of Requiring Officer.)**Dated*

*Where Court sends for record of its own motion.

†Here insert title of addressee.

‡Here insert definite date.

§ Examples.

(a) On an application by Bansi Das, Plaintiff, for review or re-hearing ; a copy of application annexed.

(b) On an application by Jagannath Saha, decree-holder, in execution case No. of this Court ; a copy of application annexed.

FORM No. (M) 11.**Letter advising the despatch of a record.**

No.

FROM**To***Dated* , *the* , 19**SIR,**

I have the honour to advise the despatch this day by¹ to your address of the original record of the case, noted below, called for in/received with your

No. , dated the , 19 . The parcel bears the number and date of the letter enclosed therein, viz., No. , dated the , 19 . The return, duly signed, of the form of acknowledgment annexed to the forwarding letter above quoted is requested.

I have the honour to be,

SIR,

Your most obedient Servant,

¹Here state method of despatch.**FORM No. (M) 12.****Letter to accompany record.**

No.

FROM .**To***Dated* , *the* , 19**SIR,**

I have the honour to forward/return herewith by¹ the original record of the case² noted on the margin, called for in/received with your No. , dated the , 19 .

I have the honour to be,

SIR,

Your most obedient Servant,

Memo of Acknowledgment.

Received the record forwarded with letter¹No. , dated the , 19 , from the of .

*(Signature and Designation of Receiving Officer.)**Dated* , *the* , 19 .¹Here state method of despatch.²Note also on the margin the number of files and pages in each file.

FORM No. (M) 13.

Charge Letter for District Judge proceeding on Circuit Duty.

DISTRICT JUDGE'S COURT,

The of 19

MEMO.

Mr. , Judge of the District of , reports for the information of , that he has this day made over charge of the current duties of his office to , Subordinate Judge, for the purpose of proceeding on circuit duties to

Delivered.

Judge.

Received. -

Subordinate Judge.

No.

DISTRICT JUDGE'S COURT,

The of 19

MEMO.

Mr. , Judge of the District of , reports for the information of that he has this day resumed charge of his office from Subordinate Judge of

Received.

Judge.

Delivered.

Subordinate Judge.

FORM No. (M) 14.

**Form of letter from the District Judge to the Registrar of the High Court,
regarding the enrolment of Legal Practitioners.**

No.

FROM

THE DISTRICT JUDGE OF

To

THE REGISTRAR,

HIGH COURT, APPELLATE SIDE, CALCUTTA.

Dated

the

19 .

SIR,

I have the honour to forward the accompanying petition, together with its enclosures, presented by Babu _____, son of Babu _____, for enrolment as a Pleader/Mukhtar, entitling him to practise in the Civil and Criminal Courts of the district.

2. Under rule 937, Ch. 37, Part VIII, Volume I, Civil Rules and Orders, a notice has been posted in a conspicuous place of the Court-house here, and a copy is forwarded for publication in the High Court as required by the rules.

• 3. The applicant has been identified by Babu _____ a pleader of this Court.

I have the honour to be,

SIR,

Your most obedient Servant,

. District Judge.

FORM No. (M) 15.**Authority to the Collector to stay public sale of land.**

(Section 72, Civil Procedure Code.)

District**In the Court of****at***Suit No.**of 19 . / Execution case No.**of 19**of**versus**of***To***Collector of***SIR,**

In answer to your communication No. . . , dated
 representing that the sale in execution of the decree in this suit of land
 situate within your district is objectionable, I have the honour to inform you
 that you are authorized to make provision for the satisfaction of the said
 decree in the manner recommended by you (on security to the amount of
 Rs. , decreed to the in the above suit, being
 given to your satisfaction).*

I have the honour to be,

SIR,**Your most obedient Servant,***Judge.*

*The bracketed portion has been omitted from Form No. 42 of Appendix E. Schedule I,
 O. P. Code.

FORM No. (M) 16.

Intimation to Collector of the withdrawal from attachment of an estate or a share of an estate.

Execution Case No. of 19 .

inhabitant of

Decree-holder.

versus

inhabitant of

Judgment-debtor.

No.

FROM

THE

To

THE COLLECTOR OF

Dated the 19

SIR,

With reference to the Notice dated the
forwarding a process of attachment issued in the abovementioned case, I have
the honour to inform you that the attachment has been withdrawn.

I have the honour to be,

SIR,

Your most obedient Servant,

(Signature and designation of Presiding Officer of the Court.)

FORM No. (M) 17.

Order for transmission of summons for service in the jurisdiction of another court.

(Or. 5, r. 21, C. P. Code.)

District

In the Court of

at

No. of 19 .

of

Plaintiff,

versus

of

Defendant.

The day of 19 .

Whereas it is stated that defendant/witness in the above suit is at present residing in

: It is ordered that a summons returnable on the day of 19 , be forwarded to the Court of for service on the said defendant/witness with a duplicate of this proceeding.

The court-fee of chargeable in respect to the summons has been realized in this Court in stamps.

Dated

19 .

Judge.

FORM No. (M) 18.

To accompany return of summons (or notice) of another court.

(Or. 5, r. 23 C. P. Code.)

District

In the Court of at

Suit No. 19

of Plaintiff,

versus

of Defendant.

The day of 19

Read proceeding from the
forwarding
for service on
in

Suit No. of 19 of that court.

Read serving officer's endorsement stating that the
and proof of the above having been duly taken
by me on the oath of or proof of the above having been duly made by the
declaration of
and it is ordered
that the be returned to the
with a copy of this proceeding.

Judge.

Note 1.—This form will be applicable to process other than summons, the service of which may have to be effected in the same manner.

Note 2.—The attention of judicial officers is drawn to the procedure prescribed by Or. 5, r. 19, for the examination of the serving officer in the event of a summons (or notice) being returned unserved. [See also Order 41, rule 14 (1).]

Note 3.—In the case of processes issued by the High Court the court causing service shall satisfy itself that a valid service has been made or that there has been a failure of service and shall append a certificate recording such opinion with the reasons in case of failure of service (See rule 97, Civil Rules and Orders, Vol. I.)

FORM No. (M) 19.

Order for transmission of summons to be served on a public servant or soldier who is a defendant in a suit.

(Or. 5, rr. 27 and 28 C. P. Code.)

District

In the Court of

at

Suit No. of 19

To

Under the provisions of Or. 5, r. 27 (or 28, *as the case may be*), of the Code of Civil Procedure, 1908, a summons in duplicate is herewith forwarded for service on the defendant,

, who is stated to be serving under you. You are requested to cause a copy of the said summons to be served upon the said defendant and to return the original to this Court signed by the said defendant, with a statement of service endorsed thereon by you.

Judge.

FORM No. (M) 29.

Order transmitting notices in intestate cases to be posted in other courts.

[Section 7, Regulation V (Bengal) of 1799.]

ORDER OF THE COURT OF THE DISTRICT OF

Present :

Mr.

Judge.

Case No. of 19 .

The 19 .

In the matter of the estate of
the late of ,
who died intestate on or about
the day of 19 ,
leaving personal property.

Whereas it is necessary to affix notices at the spot where the property was found, at the District Judge's Court, and at the dwelling-house of the abovenamed deceased, announcing that one year's time will be allowed for the appearance of the claimants and the heirs of the said deceased person, it is therefore ordered that copies of the said notice, together with lists of the said properties of the abovenamed deceased, be, with a copy of this order, forwarded to

in order that he may affix a copy of the said notice at the spot where the property was found, and another copy at the dwelling-house of the abovenamed deceased person, and, in the event of the said dwelling-house not being known, at a conspicuous place in his Court-house, and that he will thereafter intimate to this Court that the said notice has been duly affixed ; and it is also ordered that another copy of the said notice with another copy of this order be forwarded to the¹

in order that it may be hung up at the place of the death of the said deceased, and that he do intimate to this Court that the said notice has been duly hung up.

Dated this day of in the year 19 .

District Judge.

¹Assistant, Joint, or other Magistrate of the District.

FORM No. (M) 21.**Report of the sittings of Small Cause Court Judges.**

No.

FROM

Judge of the Court of Small Causes.

To

THE DISTRICT JUDGE OF*Dated the 19 .*

Sir,

I have the honour to report that in accordance with the provisions of section 7 of the Provincial Small Cause Courts Act, IX of 1887, I propose to hold sittings in the Small Cause Court at from the to the

I have the honour to be,

Sir,

Your most obedient Servant,

*Judge.***FORM No. (M) 22.****Covering letter for report of the sittings of Small Cause Court Judges.**

No.

FROM

THE DISTRICT JUDGE OF

To

THE REGISTRAR OF THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL, APPELLATE SIDE.*Dated the 19 .*

Sir,

I have the honour to forward a letter from the Judge of the Court of Small Causes at reporting the dates on which he will sit in the Court at

I have the honour to be,

Sir,

Your most obedient Servant,

District Judge.

FORM No. (M) 23.**Intimation to lower court of admission of appeal.****(Or. 41, r. 13, C. P. Code.)****District****In the Court of the****at***Suit/Case No. of 19 .***To****You are hereby directed to take notice that****the**

**in the above suit/case, has preferred an appeal to this
Court from the decree/order passed by you therein on the
day of 19 .**

**You are requested to send with all practicable despatch all material papers
in the suit.**

Dated the day of 19 .

Judge.

*** Specify class of case.**

**N. B.—This form may be used in giving intimation of and calling for records in all
classes of appeals.**

FORM No. (M) 24.

Certificate by officer holding a sale of the deficiency of price on a re-sale of property by reason of the purchaser's default.

(Or. 21, r. 71, C. P. Code.)

District

In the Court of

at

Suit No. of 19 . .

Judgment-debtor,

versus

Decree-holder.

Certified that at the re-sale of the property in execution of the decree in the above-named suit, in consequence of default on the part of , purchaser, there was a deficiency in the price of the said property amounting to Rs. , and that the expenses attending such re-sale amounted to Rs. making a total of Rs. , which sum is recoverable from the defaulter.

Dated the day of 19 . .

Officer holding the sale.

FORM No. (M) 25.**Bond to be given by receiver.**

(Or. 40, r. 3, C. P. Code.)

District

In the Court of

at

*Suit No.**of 19**/Execution Case No.**of 19*

of

versus

of

Know all men by these presents that we,
and
and

are jointly and severally
of the Court of

bound to

in Rs.

to be paid to the said

or his successor in office for the time being. For which payment to be made
we bind ourselves, and each of us, in the whole, our and each of our heirs,
executors, and administrators, jointly and severally, by these presents.

*Dated this**day of**19*

And whereas a plaint has been filed in this Court by
against

for the purpose of¹

And whereas the said
has been appointed, by order of the above-mentioned Court, to receive the
rents and profits of the immovable property and to get in the outstanding
movable property of
in the said plaint named :

Now, the condition of this obligation is such, that if the above-
bounden
shall duly account for all and every the sum and sums of money which he
shall so receive on account of the rents and profits of the immovable property,
and in respect of the movable property, of the said
at such periods as the said Court shall appoint, and shall duly pay the
balances which shall from time to time be certified to be due from him as
the said Court hath directed or shall hereafter direct, then this obligation
shall be void, otherwise it shall remain in full force.

Signed and delivered by the above-bounden in the presence of

¹Here insert the object of suit.

Note.—If deposit of money is made, the memorandum thereof should follow the
terms of the condition of the bond.

FORM No. (M) 28.

Security bond to be given on order being made to stay execution of decree.

(Or. 41, r. 5, C. P. Code.)

District

In the Court of

at

Plaintiff,

versus

Defendant.

To

This security bond on stay of execution of decree executed by
witnesseth :—

That _____, the plaintiff in Suit No. _____ of _____ 19 _____,
having sued _____, the defendant, in this Court and a decree
having been passed on the _____ day of _____ 19 _____ in
favour of the plaintiff, and the defendant having preferred an appeal from
the said decree in the _____ Court, the said appeal is still
pending.

Now the plaintiff decree-holder having applied to execute the decree,
the defendant has made an application praying for stay of execution and has
been called upon to furnish security. Accordingly I, of my own free-will
stand security to the extent of Rs. _____ mortgaging the properties
specified in the schedule hereunto annexed, and covenant that if the decree
of the first Court be confirmed or varied by the Appellate Court the said
defendant shall duly act in accordance with the decree of the Appellate
Court and shall pay whatever may be payable by him thereunder, and if he
should fail therein then any amount so payable shall be realized from the
properties hereby mortgaged, and if the proceeds of the sale of the said pro-
perties are insufficient to pay the amount due, I and my legal representatives
will be personally liable to pay the balance. To this effect I execute this
security bond this _____ day of _____ . 19 _____ .

Schedule.

Witnessed by

1. _____ .

(Signed).

FORM No. (M) 27.

Security bond to be given during the pendency of appeal.

(Or. 41, r. 6, C. P. Code.)

District

In the Court of

at

Plaintiff,

versus

Defendant.

To

This security bond on stay of execution of decree executed by
witnesseth :—

That , the plaintiff in Suit No. of 19 ,
having sued , the defendant, in this Court and a decree
having been passed on the day of 19 ,
in favour of the plaintiff, and the defendant having preferred an appeal from
the said decree in the Court, the said appeal is still pending.

Now the plaintiff decree-holder has applied for execution of the said decree
and has been called upon to furnish security. Accordingly I, of my own free-
will, stand security to the extent of Rs. mortgaging the
properties specified in the schedule hereunto annexed, and covenant that if the
decree of the first Court be reversed or varied by the Appellate Court, the
plaintiff shall restore any property which may be or has been taken in execution
of the said decree and shall duly act in accordance with the decree of the
Appellate Court and shall pay whatever may be payable by him thereunder,
and if he should fail therein then any amount so payable shall be realised from
the properties hereby mortgaged, and if the proceeds of the sale of the said
properties are insufficient to pay the amount due, I and my legal representatives
will be personally liable to pay the balance. To this effect I execute this
security bond this . day of 19 .

Schedule.

Witnessed by

(Signed).

1.

2.

(Or. 41, r. 10, C. P. Code.)

De fendant.

This appellant has preferred an appeal from the decree in Suit No. _____ of 19____, against the respondent, and has been called upon to furnish security. Accordingly I, of my own free-will, stand security for the costs of the appeal, mortgaging the properties specified in the schedule hereunto annexed. I shall not transfer the said properties or any part thereof, and in the event of any default on the part of the appellant, I shall duly carry out any order that may be made against me with regard to payment of the costs of appeal. Any amount so payable shall be realised from the properties hereby mortgaged, and if the proceeds of the sale of the said properties are insufficient to pay the amount due, I and my legal representatives will be personally liable to pay the balance. To this effect I execute this security bond this _____ day of _____ 19____.

Schedule.

- 1.
- 2.

(Signed).

FORM No. (M) 29.

Bond for safe custody of movable property attached and left in charge of any person and sureties.

(Or. 21A, rr. 3(a) and 5.)

In the Court of _____ at _____

Civil Suit No. of

A. B. of

against

C. D. of

Know all men by these presents that we, I. J. of _____, etc.,
and K. L. of _____, etc., and M. N. of _____, etc., are
jointly and severally bound to the Judge of the Court of
in Rupees _____ to be paid to the said Judge, for which payment
to be made we bind ourselves, and each of us, in the whole, our and each of our
heirs, executors and administrators, jointly and severally, by these presents.

Dated this _____ day of _____ 19 ____.

And whereas the movable property/livestock specified in the schedule
hereunto annexed has been attached under a warrant from the said Court,
dated the _____ day of _____ 19 ____, in execution
of a decree in favour of _____ in suit No. _____ of _____ 19 ____,
on the file of _____, and the said property has been left in the
charge of the said I. J.

Now the condition of this obligation is that, if the above bounden I. J.
shall duly account for and produce when required before the said Court all
and every the property/livestock aforesaid [and shall properly maintain and
take due care of the livestock aforesaid] and shall obey any further order of
the Court in respect thereof, then this obligation shall be void : otherwise it
shall remain in full force and be enforceable against the above bounden I. J.
in the execution proceedings.

I.J. .

K.L. .

M.N. .

Signed and delivered by the above
bounden in the presence of

FORM No. (M) 30.

Bond from appointed guardian.

(Section 34 of the Guardians and Wards Act, VIII of 1890.)

Know all men by these presents that I(1)

(2) of , of
 , am held and firmly bound to (3)
 the District Judge of , in the sum of
 Rs. , to be paid to the said (3)
 or to his successors in office, and we (4)
 , son of , of
 , and (4) , son of
 , of , are jointly and

severally held and firmly bound to the said (3)
 in the sum of Rs. , to be paid to the said
 (3) , or to his successors in office, for the
 payment of which the said sum of Rs. to be
 faithfully and truly made, I, the above bounden (1)

bind myself, my heirs, executors, administrators,
 and representatives, and for the payment of the said sum of Rs.
 we the above bounden (4)
 and (4) bind

ourselves and each of us jointly and severally, and our and each of our heirs,
 executors, administrators, and representatives firmly by these presents.
 Signed by ourselves and sealed with our respective seals this
 day of 19 .

Whereas by an order of the Court of the District Judge of
 made on the day of
 under section 7 of the Guardians and Wards Act
 (VIII of 1890) the above named (1) has, sub-
 ject to his entering into a bond in Rs. as the case with

- (1) Name of guardian.
- (2) Son or daughter, as the case may be.
- (3) Name of District Judge.
- (4) Names of sureties.

(5) sureties in the same sum (or sum of Rs. as the case may be), been appointed guardian of the property movable and immovable of (6) minor son of .
And whereas the said (1) has agreed to enter into the above-written bond and the said (4) and (4) have agreed to enter into the above-written bond as sureties for the said (1) . Now the condition of the above-written bond is such that if the said (1) do and shall justly and truly account whenever called upon to do so, for what he may receive in respect of the property of the said (6) and do and shall carefully observe, perform, and keep all orders and directions of the said Court of the District Judge of touching or concerning the estate and effects of the said minor and his property and touching and concerning all such monies and estates as he, the said (1) , shall receive as such guardian as aforesaid and in all things conduct himself properly, then the above-written bond or obligation shall be void and of no effect, otherwise the same shall remain in full force and virtue.

Signed and sealed by the
abovenamed (7) _____

in the presence of _____

Seal.
Seal.
Seal.

(5) Number of sureties.
(6) Here state the name of minor.
(7) Name of guardian and sureties.

FORM No. (M) 31.

Form under the Criminal Procedure Code.

Bond for the appearance of a person before a Magistrate's Court in connection with an offence committed before a Civil Court.

(Section 476 of the Code of Criminal Procedure.)

I(1) _____ of(2) _____ having been brought before the Court of (3) _____ in a proceeding under section 476, Criminal Procedure Code, regarding the offence of _____ and required to give security for my attendance in the Court of the Magistrate of _____, do bind myself to attend at the Court of the said Magistrate on the _____ day of _____ 19____, and on such other day as I may be required to attend, and in case of my making default herein, I bind myself to forfeit to His Majesty the King-Emperor of India, the sum of Rs. _____

Dated this _____ day of _____ 19____.

(Signature).

(4)

for the above said _____ that he shall attend at _____ in the Court of _____ on(5) _____ further to answer the charge pending against him ; and in case of his making default therein(6) to forfeit to His Majesty the King-Emperor of India, the sum of Rupees _____

Dated this _____ day of _____ 19____.

(1) Name.

(2) Place.

(3) Name of officer and designation of Court.

(4) I hereby declare myself (or we jointly and severally declare ourselves, and each of us) surety (or sureties.)

(5) The day of next (or on such day as he may hereafter be required to attend).

(6) I hereby bind myself (or we hereby bind ourselves.)

Form No. (M) 32.

Form of descriptive roll of lunatics.

N. B.—The ultimate responsibility for the preparation of this form rests with the committing officer, who must see that the requisite information is supplied by the Police and the Medical Officer without undue delay.

(If any of the particulars in this statement are not known, the fact should be so stated.)

(Entries to be made by the Police alone.)

| Name of patient in full. | Father's name. | Race. | Caste. | Religion. | Sex. | Age. | Married or single. |
|--------------------------|----------------|-------|--------|-----------|------|------|--------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | | | | | |

2. Marks whereby the patient may be identified. 2.

3. Condition of life and previous occupation (if any). 3.

4. Place of birth, recent place of abode or domicile and length of residence, in each. 4.

| Birth place. | Recent abode. |
|--------------|---------------|
| 1 | 2 |
| | |

Village.
Police-station.
District.
Length of residence.

5. Whether homeless or living with relatives.* 5.

6. Duration of existing attack. 6.

7. Whether the present attack is the first attack of insanity or not. 7.

8. Mode of life, habits and insane acts (with dates) or other reasons for detention.† 8.

9. In the case of a criminal lunatic, the nature of the crime (with dates) and the detailed circumstances under which it was committed. The section under which the lunatic was charged and the result of the trial should also be stated in addition to any other particulars. 9.

*This heading should show the names and addresses of the relatives or persons legally bound to maintain the lunatic (if any) and whether they are able and willing to take charge of him or to bear the cost of his maintenance in the asylum and, if not, why not.

†A statement of any ascertainable facts which may throw light on his past or present condition is required.

- | | |
|---|-----|
| 10. Supposed exciting cause of present attack.* | 10. |
| 11. Duration and nature of any previous attack. | 11. |
| 12. Age (if known) at onset of first attack. | 12. |
| 13. Supposed cause of insanity.† | 13. |
| 14. Whether suicidal. | 14. |
| 15. Whether dangerous to others.† | 15. |
| 16. Whether any member of patient's family has been or is affected with insanity. | 16. |

Signature and designation of Police or other Compiling Officer.

Date

*Under this heading should be stated whether the lunatic suffered from loss of property, loss of relatives, domestic trouble, or ill-health immediately before the attack.

†State here whether he is addicted to any spirits or drugs, and, if so, for how long he has been so addicted and what is the quantity habitually taken; also whether he is a member of any particular religious or political society.

‡Unless the answer is in the negative or "not known," a detailed statement of this shall invariably be furnished. Such answers as "possibly," "said to be," "may be" or "yes" only are prohibited.

(Entries to be made by Medical Officer alone.)

1. Period under observation.
2. State of bodily health.*
3. Symptoms exhibited.
4. Whether subject to epilepsy or any other kind of fits or any other disease.
5. Whether suicidal.†
6. Whether dangerous to others.†

Signature and designation of Medical Officer.

Date

*The general health of the patient as well as any abnormality of feature or development should be entered. It is desirable that special mention be made whether the patient is, or is not, suffering from tubercular disease.

†Unless the answer is in the negative or "not known" a detailed statement of this shall invariably be furnished.

Forwarded to the Superintendent of the Lunatic Asylum at

Date

Magistrate.

FORM No. (M)33.

Court's Certificate.

(To be given to Government or Local Fund Servants who attend Court as witnesses.)

(Articles 1133 and 1134, Civil Service Regulations.)

Court of the

Certified that¹

me as a witness on behalf of

days from

capacity to depose to facts within his²

and that he has been paid⁴ the undermentioned allowances :—

²appeared before

in a civil/criminal case for

to

in his

knowledge,

Rs.

As travelling allowance

As subsistence allowance

Date

Presiding Officer of the Court.

¹ Name.

² Designation.

³ Here state whether official or private.

⁴ If nothing is paid under either head, it should be clearly stated.

Note 1.—Government officers summoned to give evidence in their private, capacity, i.e., to depose to facts not coming to their knowledge in the course of their official duties or with which they have not had to deal officially, are not entitled to travelling allowances from Government, and subsistence allowances paid to them under the Rules of the Court [Article 1134(b), Civil Service Regulations.] must be deducted from their salaries, if they are allowed to draw pay for those days.

Note 2.—Official witnesses appearing at the instance of a private party will be paid by that party through the Court, and the facts certified as in the case of a payment by the Crown.

In the case of official witnesses in cases to which Government is a party, when their pay exceeds Rs. 10 per mensem or when their headquarters are situate more than 5 miles from the Court a certificate of attendance only will be given and no payment will be made. Such official witnesses are entitled to travelling allowance under the rules in the Civil Service Regulations.

Note 3.—As to travelling and other expenses which may be allowed to all classes of witness, see rule 703, Civil Rules and Orders, Vol. I.

Note 4.—When an expert of the Finger Print Bureau of the Criminal Investigation Department is summoned to give evidence in a private case, his fee (viz., Rs. 20 a day in each case) and his salary for the day or days in question shall be remitted to the treasury for credit to Government. The amount representing the expert's travelling allowances only may be made over to him.

Note 5.—When the Government Examiner of Questioned Documents or his Assistant is summoned to give evidence in a private case his fee shall be remitted to the Treasury for credit to Central Revenues under head "XXXV—Miscellaneous—Central—Other Fees, Fines and Forfeitures—Fees for the services of the Government Examiner of Questioned Documents". The payments of the travelling expenses of the officer and the peon accompanying him are to be adjusted in accordance with the procedure contained in the Government of India, Home Department letter No. F. 128/VII/27-Police, dated the 12th January, 1928.

FORM No. (M)34.**Statement to be submitted with applications for addition to the Judicial staff.****A.****Pending files : Civil Original.**

| Court.
1 | Title.
2 | | Money.
3 | | Rent.
4 | | Other suits.
5 | | Remarks.
6 |
|-------------|-------------|----------------|-------------|----------------|------------|----------------|-------------------|----------------|---------------|
| | Total. | Over one year. | Total. | Over one year. | Total. | Over one year. | Total. | Over one year. | |
| | | | | | | | | | |

1. The number of cases pending for final decree, stayed by Appellate Court, pending with Commissioner, part heard, or pending for judgment to be shown in Remarks column.
2. If the District Judges or Additional Judges have any Probate, or Land Acquisition or Insolvency cases pending, a note is to be made to that effect giving figures according to year of institution, in the Remarks column.

B.**Pending files : Civil Appellate.**

| Court.
1 | 2 | Title.
3 | | Money.
4 | | Rent.
5 | | Remarks.
6 |
|-------------|----------------|-------------|----------------|-------------|----------------|------------|----------------|---------------|
| | | Total. | Over one year. | Total. | Over one year. | Total. | Over one year. | |
| | From Sub-Judge | | | | | | | |
| | From Munsif .. | | | | | | | |

1. In the case of District Judges' and Additional District Judges' courts the number of appeals from decisions of Subordinate Judges to be shown separately.
2. Groups of analogous appeals to be mentioned in the Remarks column.

C.

Disposals : Civil.

| Court. | Name of Presiding Officer. | Number of days employed. | Original. | | | Total of columns 4 to 6. | Appellate. | | | Total of columns 8 to 10. | Remarks. |
|--------|----------------------------|--------------------------|-----------|--------|-------|--------------------------|------------|--------|-------|---------------------------|----------|
| | | | Title. | Money. | Rent. | | Title. | Money. | Rent. | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | | Contested | | | | | | | | | |
| | | Uncontested | | | | | | | | | |

1. Probate and section 92 suits to be shown as title but indicated in Remarks column.
2. Appeals from decisions of Subordinate Judges to be separately shown.

D.

Pending file : Criminal (Original and Appellate, etc.).

| Court. | Sessions cases. | | | Appeals. | | Revision. | | Remarks. |
|--------|-----------------|------------------------|--------------------|----------|-----------------|-----------|-----------------|----------|
| | Section. | Prosecution witnesses. | Defence witnesses. | Total. | Over one month. | Total. | Over one month. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | | . | | | | | | |

E

Disposals : Criminal.

| Court. | Name of Presiding Officer. | Number of days employed. | Sessions cases. | | Appeals. | | Revision. | | Remarks. |
|--------|----------------------------|--------------------------|-----------------|------------|----------------------|---------------------------------------|----------------------|--------------|----------|
| | | | Plea of guilty. | Contested. | Dismissed summarily. | Contested or after perusal of record. | Dismissed summarily. | Rule issued. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | | | | | | | |

F.E.—In cases of applications for the appointment or retention of Additional Judges figures should be furnished in Forms A, B, C, D and E, in those of Additional Subordinate Judges in Forms A, B and C and in those of Muniffs in Forms A and C.

FORM No. (M)35.**Form of card for Pleaders' and Mukhtars' registered clerks.**

Registered Clerk's card No.

No. to correspond
with No. in Regis-
ter [See Form No.
(R) 36].

Not transferable.

This is to authorise

son of

of village

thana

District

now residing at

to work as the registered clerk of

Pleader/Mukhtar during the year

Date

19 .

Registering Authority.

To be produced when required and must be returned for renewal on

FORM No. (M)36.

Space for
court-fee stamp.

Application for Inspection of Record.

District

In the Court of/Record room

at

| Description of case. | Number. | Year. | Name of the pleader/advocate who will inspect the record. |
|----------------------|---------|-------|---|
| | | | |

Dated

19 .

Signature of Pleader/Advocate.

FORM No. (M)36A.

Post Card Intimation to the High Court of non-payment of boat-hire.

Court of the

at

The

193 .

To

**THE DEPUTY REGISTRAR, HIGH COURT, APPELLATE SIDE,
CALCUTTA.**

Reference

This is to intimate that the returnable date of the process in the above matter is . but no boat-hire having as yet been paid by the party concerned, the process is retained pending directions of the High Court (*vide* Note to rule 98, Chapter 3, Part I, Civil Rules and Orders, Volume I).

Judge.

On the reverse.

O. H. M. S.

To

**THE DEPUTY REGISTRAR, HIGH COURT, APPELLATE SIDE,
CALCUTTA.**

| Letter of alphabet. | Records of Court. | From year to year. | Room No. | Back No. |
|---------------------|-------------------|--------------------|----------|----------|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

1

1

1

FORM No. (M)40.**Defect Report.**

District Judge's record-room.

Begs to report that on examining the undermentioned records, the following defects* are found :—

| Particulars of the record. | Defects or irregularities found with definite particulars. | How to be remedied. |
|----------------------------|--|---------------------|
| | | |

District.

The

19 .

Record-room Muharrir.

Order—

No.

R.D., dated

19 .

Send in original to the of the
for enquiry and report on the reverse.

Court of

Judge in charge.

Record-keeper.

FORM No. (M)41.

Form to be used on front flat board for indexing bundles of records.

Rack.

Shelf.

NAME OF COURT.

CLASS OF RECORD.

| | | | | | | |
|--------------------------|----|----|----|----|----|------|
| Years of decision | .. | .. | .. | .. | .. | 19** |
| B papers to be destroyed | .. | .. | .. | .. | .. | 19** |
| C papers to be destroyed | .. | .. | .. | .. | .. | 19** |
| D papers to be destroyed | .. | .. | .. | .. | .. | 19** |
| E papers to be destroyed | .. | .. | .. | .. | .. | 19** |

Note.—On the blank portion of this form, the numbers of records removed and the dates of their removal and return to the bundles are to be noted.

FORM No. (M)42.**Index to index register or despatch list.**

| Date. | Serial No. | Court. | Period. | Room, rack and Shelf No. | Remarks. |
|-------|------------|--------|---------|--------------------------|----------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

FORM No. (M)43.**Removal slip for documents and records.**

| Date of removal. | Name of Court. | No. of suit or case. | Date of disposal. | Number, date, and description of document. | For what purpose removed. |
|------------------|----------------|----------------------|-------------------|--|---------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

Note.—Column 5 will be used for documents only.

N.B.—The above list should be sent every two months to Courts who have failed to return records.

Progress Report.

Statement of work done by the record-room staff during the 1st half/2nd half of

61

| Name of officer. | Number of Records received for examination. | | | | Number of records destroyed. | Number of Records for repunching Court-fee stamps. | NUMBER OF | | | | | | | | | | | | | | | | Number of records for replacement. | | Number of papers to be filed. | | | | Remarks. | | | |
|------------------|---|---------------------------|-----------|----------|------------------------------|--|----------------------------------|---------------------------------------|-------------------------------|--------------------------|---------------------------|-----------------------------|-------------|----------|-----------------------------|-------------|----------|-----------------------------|-------------|----------|-----------------------------|-------------|------------------------------------|----|-------------------------------|----|----|----|----------|----|----|----|
| | Remaining on 1st April 1919 | Received during the month | Examined. | Pending. | | | Applications for payment orders. | Applications for returning documents. | Applications for information. | Applications for copies. | Requisitions for records. | Received including pending. | Dealt with. | Pending. | Received including pending. | Dealt with. | Pending. | Received including pending. | Dealt with. | Pending. | Received including pending. | Dealt with. | Pending. | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

THE.....19.....

Submitted.

Record-keeper.

Just for the charge.

FORM NO (M) 48.

Receipt granted by the Court for deposit of rent.

(Section 62 of the Bengal Tenancy Act, VIII of 1885.)

আমানতী খাজানা সম্বন্ধে আদালতের প্রদত্ত রসীদ ।

[বঙ্গদেশীয় প্রজাপত্র সম্বন্ধীয় ১৮৮৫ সালের ৮ আইনের ৬২ ধারা ।]

মোকাম

আদালত

যেহেতু ১৮৮৫ সালের ৮ আইনের ৬১ ধারায়

প্রকরণের

লিখিত অবস্থায়

র কথিত দেনা খাজানা

আমানৎ করণ জন্ত তৎকর্তৃক উক্ত ধারামুসারে দরখাস্ত হইরাছে, এবং যেহেতু এ আদালতের প্রতীতি হইতেছে যে উক্ত

উক্ত ধারামুসারে ঐ খাজানা আমানৎ করণের অধিকারী, অতএব ইহা লিখিয়া দেওয়া বাইতেছে যে নিম্নলিখিত টাকা

কর্তৃক এ আদালতে আমানৎ হইরাছে ।

| যেত বা জমার ও যে মোজা বা মহলে তাহা
অবস্থিত তাহার পরিচয় । | কথিত দেনা
খাজানার
পরিমাণ । | যে সময়ের
বাবৎ খাজানা
দেনা কথিত
হয় । | কোন হুদ
দেওয়া
হইলে
তাহা । | মোট টাকা । |
|--|----------------------------------|--|-------------------------------------|------------|
| ১ | ২ | ৩ | ৪ | ৫ |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

তারিখ ।

আদালতের
মোহর ।

FORM NO. (M) 49.

Notification of receipt by the Court of deposits made.

(Sections 61 and 62 of the Bengal Tenancy Act, VIII of 1885, as amended by Bengal Act IV of 1928.)

[Section 63, clause (ii) of Act VIII of 1885.]

১৮৮৫ সালের ৮ আইনের ৬১ ও ৬২ ধারামুসারে আদালতে টাকা আমানৎ হওয়ার
এস্তাহার।

[১৮৮৫ সালের ৮ আইনের ৬৩ ধারার ১ প্রকরণ।]

জেলা আদালত। এতদ্বারা জ্ঞাপন করা যাইতেছে যে
এতলিখিত তারিখে বঙ্গদেশীয় প্রজা; স্বত্বদ্বার (১৮৮৫ সালের ৮) আইনের ৬১ ও ৬২ ধারার
বিধানামুসারে এ আদালতে নিম্নলিখিত টাকা সকল আমানৎ হইরাছে।

| আমানতের
তারিখ। | আমানতকারি
প্রজার নাম ও
তার পিতার নাম
ও বাসস্থান। | আমানতি
টাকার
পরিমাণ। | ৬১ ধারামুসারে আমানৎ করা খাজানা। | | মন্তব্য। |
|-------------------|---|----------------------------|--|--|----------|
| | | | (সি) প্রকরণ। | (ডি) প্রকরণ। | |
| | | | খাজানা যে যে
সরিকের পাওনা
তাহাবিশের নাম। | ইতিপূর্বে বাহাকে
খাজানা দেওয়া
হইরাছে তাহার ও
এইক্ষণ যে ব্যক্তি বা
বাহারা খাজানা দাখিল
করে তাহাবিশের নাম। | |
| | | | | | |

তারিখ।

আদালতের
মোহর।

Note.—Form on the reverse as in (P)1—A and at the top of the front page as in (P)1.

FORM NO. (M) 50.

Receipt for payment into Court by defendant of rent due.

(Section 152 of the Bengal Tenancy Act, VIII of 1885.)

প্রাপ্য খাজানা প্রতিবাদী কর্তৃক আদালতে আমানৎ হওয়ার রসিদ।

[বঙ্গদেশীয় প্রজাস্বত্ব সনদীয় ১৮৮৫ সালের ৮ আইনের ১৫২ ধারা।]

মোকাম

আদালত।

সন ১৯

সালের

নং মোকদ্দমা বাহাতে

বাদী

এবং

প্রতিবাদী

যেহেতু উপরোক্ত মোকদ্দমায় প্রতিবাদী

স্বীকার করিতেছে যে তাহার ঋণ বা আমার খাজানা বাবৎ তাহার মং

টাক দেয়া এবং যেহেতু উক্ত

উক্ত মং

টাকা আদালতে দাখিল করিয়াছে

অতএব ইহা প্রকাশ করা যাইতেছে যে উক্ত টাকা এ আদালৎ কর্তৃক গৃহীত হইয়াছে।

তারিখ



Proof of debt : General form.

(Section 49 of the Provincial Insolvency Act, V of 1920.)

In the Court of the District Judge/Subordinate Judge at

Insolvency Application No. of 19 .

Applicant.

In the matter of No. (a) I, of (b)
make oath and say (or solemnly and sincerely affirm and
declare) :—

1. That the said was/, were at the date of the petition, viz.
the day of 19 and still is/are justly and
truly indebted to me in the sum of Rs. a. p. for (c)
as shown by the account endorsed hereon (or the following account) viz., for
which sum or any part thereof I say that I have not, nor hath or
any person by • • order to my knowledge or belief for
• use had or received any manner of satisfaction or
security whatsoever save and except the following (d).

| | | | |
|-----------------------------|--------|------------|----------------------------|
| Admitted to vote for Rs. | } this | Sworn at | { Deponent's
Signature. |
| Judge or Official Receiver. | | day of | |
| | | before me. | |

Commissioner.

- (a) Here insert number given in the notice.
- (b) Address in full.
- (c) State consideration and specify the vouchers (if any) in support of the claim.
- (d) Here details of securities, bills, or the like.

FORM NO. (M) 52.**Proof of debt of workmen.**

(Section 49 of the Provincial Insolvency Act, V of 1920.)

In the Court of the District Judge/Subordinate Judge at

*Insolvency Application No. of 19 .**Applicant.*

I (a) of (b) make oath and say or
(solemnly and sincerely affirm and declare) :—

1. That (c) was/were at the date of the adjudication
viz., the day of of 19 and still am/are justly and truly
indebted to the several persons whose names, addresses and descriptions appear
in the schedule endorsed hereon in sums severally set against their names in
the sixth column of such schedule for wages due to them respectively as work-
men or others in (d) in respect of services rendered by them res-
pectively (e) during such period before the date of the receiving order
as are set out against their respective names in the fifth column of such schedule,
for which said sums, or any part thereof, I say that they have not nor hath
any of them had or received any manner of satisfaction or security whatsoever.

Admitted to vote for Rs. Sworn at
Judge or Official Receiver. this day of } Deponent's
before me } Signature.

Commissioner.

(a) Fill in full name, address and occupation of deponent.

(b) The abovenamed debtor or the foreman of the abovenamed debtor, or on behalf of the workmen and others employed by the abovenamed debtor.

(c) " I " or " the said."

(d) " My employ " or " the employ of the abovenamed debtor."

(e) " Me " or " the abovenamed debtor."

[Section 38 (2) of the Provincial Insolvency Act, V of 1920.]

In the matter of Insolvency Application No. of 19 .

Meeting held at this day of 19 .

[illegible]

Required number of Majority

Required value

Rs.

FORM NO. (M) 54.**Application for urgent/ordinary copy.**Space for
searching fee.

One anna
Two annas* court-fee stamp

on application

* In Bengal only.

Space for
expedition fee.

Serial No.

In the Court of

It is requested that one certified/uncertified copy of each of the documents in the undermentioned case which was disposed of/is still pending on.... may be furnished. The following stamp-sheets and stamps are filed herewith :—

| Class of case, No. and year. | Names of parties. | Date of final decree or order, if passed. | Description of documents with date where necessary. | Object of copy if applicant is not party or his pleader/advocate. |
|------------------------------|-------------------|---|---|---|
| | | | | |

| Date | | 19 . | Signature of applicant. * |
|-----------------------------------|--|---|---------------------------------------|
| <i>Office report.</i> | | <i>Estimate of costs (excluding what has been filed).</i> | Estimated stamps, etc., notified on.. |
| | | Rs. as. | .... |
| The copy will cover.... | | Stamp-sheets at 4 as. | Estimated stamps, etc., supplied on.. |
| English/vernacular folios | | Court-fee stamps at 4 as. | .... |
| .... |  | Stamp for authentication | Applicant's signature. |
| Searching fee is/is not required. | | Extra stamp for urgency .. | Record received on |
| | | Searching fee in stamps .. | ..... |
| | | Total .. | Copy will be ready on |
| | | | |
| Date | | Clerk | Copy actually ready on..... |
| | | Date | Copy delivered on.. |
| | | Head comparing clerk. | ..... |

Serial No.

Received an application for copy bearing the above number.

To attend for estimate on.....

Estimated stamps and stamp-sheets valued at Rs. as. supplied on....

To attend for copy on....

Received copy with unused stamp-sheets at 4 as. and stamps valued at Rs. as.

Date Head comparing clerk.

(see back.)

Date

Applicant.

| Initials of the clerks
handling the
application. | Date and
hour of
receipt. | Date and hour of
passing on. | To whom passed on. |
|--|---------------------------------|---------------------------------|--------------------|
| | | | |

Note.—The application will not be considered complete until stamps and costs have been supplied in full which must be done within three days of the notification of the estimate.

All enquiries and complaints shall be accompanied by the counterfoil. It will be given up when the copy is delivered.

FORM No. (M) 55.

Application for information.

| Serial No. and date. | Name and residence of the applicant. | Nature of information required. | Date on which information is to be ready. | Signature of officer receiving the application. | Remarks. |
|----------------------|--------------------------------------|---------------------------------|---|---|----------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

Space for searching fee, (To be affixed over the stamp half the stamp line.)

Received information on Received from application No. of date for information which will be ready on

Date Clerk in charge.

Applicant.

Note.—Applicant is to fill up columns 1 (except the No.), 2 and 3 and present it to the officer appointed to receive such applications, who, if the information required cannot be immediately supplied, will fill '4p', tear off and return the bottom part with the necessary entries on the right side. It will be given up when the upper part is delivered with the information noted in column 6.

(See back).

(On the reverse).

| Initials of the
clerk handling
the application. | Date and hour of
receipt. | Date and hour of
passing on. | To whom passed on. |
|---|------------------------------|---------------------------------|--------------------|
| | | | |

FORM No. (M) 56.

Part II.

Particulars concerning a loan.

Form of demand by debtor for the supply of particulars concerning a loan.

[Sec. 7(1) of the Bengal Money Lenders Act, Beng. Act VII of 1933.]

[Sec. 7(1) of the Bengal Money-lenders Act, Beng. Act VII of 1933.]

Name of debtor—

Address—

Date of demand for particulars—

Name of money-lender—

Address—

Under section 7(1) of the Bengal Money-lenders Act, 1933 (Ben. Act VII of 1933), I request the following particulars concerning any loan or loans made by you to me on which any amount is at present outstanding.

Signature of debtor—

Address—

Date—

1. Date of loan—
2. Amount of loan—
3. Rate of interest per annum (state whether simple or compound, and if compound what the period of rest is)—
4. Total repayments made by the debtor up to date—
 - (a) Principal
 - (b) Interest
 - (c) Total
5. Amount outstanding on the date on which information is given :—
 - (a) Principal
 - (b) Interest
 - (c) Total
6. Any special conditions on which the loan has been made—

Signature of money-lender—

Address—

Date—

N.B.—The above particulars should be furnished regarding each and every loan on which any amount is outstanding, and it will be understood that no amount save what is entered in the particulars furnished is due from the debtor at the date on which the information is supplied by the money-lender.

The money-lender may retain the portion marked Part I and return Part II to the debtor after filling in the requisite details.

FORM No. (M) 57.

Receipt granted by Court for deposit of money due to money-lender.

[Sec. 9(1) of the Bengal Money-lenders Act, Beng. Act VII of 1933.]

মোকাম

আদালত

যেহেতু ১৯৩৩ সালের বঙ্গীয় ৭ আইনের ৯ ধারার ১ প্রকরণের লেখা অনুযায়ী.....

.....র কথিত দেনা টাকা আমানত করণ জন্য উক্তকর্তৃক উক্ত ধারাদ্বারা দরখাস্ত

• হইরাছে, এবং যেহেতু এ আদালতের প্রতীতি হইতেছে যে উক্ত.....উক্ত

ধারাদ্বারা ঐ টাকা আমানত করণের অধিকারী, অতএব ইহা লিখিয়া দেওয়া যাইতেছে যে

নিম্নলিখিত টাকা.....কর্তৃক এ আদালতে আমানত হইরাছে।

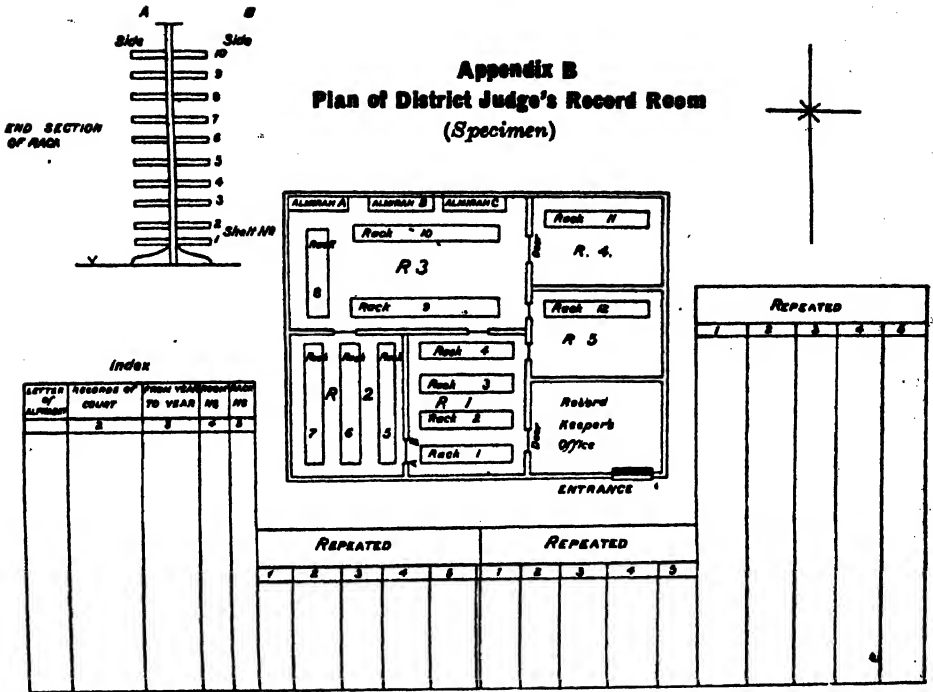
| | | | | |
|--------------|----------------------|----------------------------------|----------------------------------|-----------|
| কর্তৃক দাতা। | কর্ত্ত্বক.
তারিখ। | কোন আসল
দেওয়া হইলে
তারিখ। | কোন সুদ
দেওয়া হইলে
তারিখ। | মোট টাকা। |
|--------------|----------------------|----------------------------------|----------------------------------|-----------|

তারিখ

স্বাক্ষর

আদালতের
মোহর।

Appendix B
Plan of District Judge's Record Room
(Specimen)



Note.—In this Appendix have been set out a few sample forms of decree of a class not infrequently required in the Subordinate Courts, but which have not been included either in the Appendices to the Code of Civil Procedure or among the Forms in Appendix A *supra*. It should, however, be clearly understood that the Forms in this Appendix are inserted here for guidance only, that they do not purport to be in any way exhaustive, but merely represent the lines upon which a decree of the class indicated may suitably be modelled. They will not be printed for circulation and if use is made of them, care must be taken to see that they are adapted to the exact requirements of the particular case in hand.

District

In the Court of _____ at _____
Suit No. _____ of 19____

Plaintiff,

RESULTS

Defendant.

Claim for

This suit coming on this _____ day for disposal before
 _____ in the presence of _____

It is declared that the plaintiff is entitled to*
part (or share) of the (movable) and immovable property specified in the schedule hereunto
annexed and that the defendant is entitled to†

And it is hereby decreed that a partition be made of the aforementioned (movable and) immovable property, and it is ordered that a ~~commission~~ do issue directed to a Commissioner to be therein named, to make a partition or separation of the same according to the rights of the parties, as hereinbefore declared, and that, as regards the immovable property, he do make the same by metes and bounds and award sums to be paid for the purpose of equalizing the shares, where he shall see occasion.

††

And the further hearing of this case is adjourned, and the parties are to be at liberty to apply to this Court from time to time as they may be advised.

Dated this day of in the year of Our Lord
one thousand nine hundred and

Schedule

Judge,

*Here state plaintiff's share.

†Here state defendant's share.

For form of Commission to make a partition, see App. H., C. C. P., No. 10, reproduced as Form No. (J)

iii If the Court considers that there should be an order for cost at this stage, insert provision here.

II.

Final decree in partition suit.

District

In the Court of

at

Suit No.

of 19

Plaintiff,

versus

Defendant.

Claim for

This suit coming on this day for final disposal before
in the presence of , this Court doth order that the report
prepared and signed by the Commissioner appointed in pursuance of the order contained
in the preliminary decree in this suit, dated the day of 19 ,
do stand confirmed (or* varied as follows)

And it is decreed that the property† specified in the schedule hereunto annexed be
allotted according to the said report (or, if the report be varied, as hereinafter set forth)

††

Dated this day of , in the year of Our Lord
one thousand nine hundred and

Schedule.

Judge.

*Where the Court varies the Commissioner's report in any way, the variation should be clearly set forth
in the decree.

†See in this connection Or, 20, r. 9, C. P. Code.

††Here insert provision as to costs, if any.

III.

Suit for an Account against a Servant or Agent.

(Preliminary Decree.)

District

In the Court of

at

Suit No.

of 19

Plaintiff,

Defendant.

Claim for

This suit coming on this day for final disposal before
in the presence of , It is decreed that an account
be taken of all dealings and transactions between the plaintiff and the defendant from the
day of to the day of
and it is ordered that a Commission* do issue to a Commissioner to be therein named direc-
ting him to make an examination and adjustment of the accounts between the plaintiff
and the defendant, and instructing him the proceedings which he may hold on the inquiry
(and also to report his own opinion on the point referred) (insert here any special directions),
and it is ordered that the further consideration of this suit be adjourned, and that any of
the parties are to be at liberty to apply to this Court as they may be advised.

Dated this day of in the year
of Our Lord one thousand nine hundred and

Judge.

Note.—The final decree in such a suit will be in the form of a simple money decree (Form 2
App. D., C. C. P.)

*For Form C: Commission to examine accounts, see App. H, Form 9, C. C. P., reproduced as Form
No. (J) 37, ante. [See also Form No. (J) 35].

IV.

Decree for dismissal in suits and appeals.

District

In the Court of

at

Suit/Appeal No.

of 19 .

*Plaintiff/Appellant.**versus**Defendant/Respondent.*

Claim for/Appeal against

This suit/appeal coming on

this day for final disposal before
in the presence of

It is decreed that suit/appeal be, and the same is hereby dismissed.

And it is further decreed that the plaintiff/appellant do pay to the defendant/res-
pondent costs of this suit/appeal with interest
thereon at the rate of six per cent. per annum from the date of taxation until realization.

Dated this . day of in the
year of Our Lord One thousand nine hundred and

Judge.

Note.—For instructions as to cases in which a decree should be drawn up, see rules 186 and 187 Civil
Rules and Orders, Vol. I.

APPENDIX D.

List of forms for indenting purposes.

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|---------------------------|---------------------------|---|---|
| ACCOUNT FORMS. | | | |
| <i>(a) Occasional.</i> | | | <i>Volume I.</i> |
| (M) 1 | (A) 1 | Chalan | Rule 759. |
| (M) 1A | (A) 1A | Ditto in Bengali. | |
| (M) 1C | (A) 1C | Ditto in Hindi. | |
| (M) 3 | Abolished. | | |
| (M) 4 | (A) 2 | Payment order | Rule 778. |
| (M) 5 | (A) 3 | Payment Order (Rent Deposits and deposits under Bengal Money Lender's Act, 1933). | Rule 778. |
| (M) 6 | (A) 4 | Refund of Lapsed Deposit .. | Rule 788. |
| (M) 7 | (A) 5 | Order for refunds of Revenue .. | Rule 789. |
| (M) 8 | (A) 6 | Certificate for the refund of Stamp Fees. | Rule 790. |
| (M) 9 | (A) 7 | Order for the refund of the value of Court-fee Stamps. | Rule 790. |
| (M) 10* | (A) 8 | Advice list to Treasury for cheques issued. | Rule 787(2). |
| (M) 11 | (A) 9 | Daily Advice List from Treasury .. | Rule 804. |
| (M) 12 | (A) 10 | Subordinate Court's Daily Advice List to District Court. | Rule 815. |
| (M) 13 | (A) 11 | Plus and Minus Memorandum .. | Rules 823 and 830. |
| (M) 14 | (A) 12 | Statement of Lapsed Deposit .. | Rule 839. |
| (M) 15 | (A) 13 | Extract Register of Deposit Receipts above Rs. 5. | Rule 828. |
| <i>(b) Registers.</i> | | | |
| (M) 16 | (A) 14 | Register of Chalang | Rule 760. |
| (M) 17 | (A) 15 | Register of Chalang for Petty payments. | Rule 766. |
| (M) 18 | (A) 16 | Register of payment orders issued | Rules 784 and 785. |
| (M) 19 | (A) 17 | Treasury Pass Book | Rules 793 and 799. |
| (M) 20(i) and (M) 20(ii). | (A) 18(i) and (A) 18(ii). | Daily Register of Deposits received :—
Part I—A Deposits.
Part II—B Deposits. | Rule 808. |

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|---------------------------|---------------------------|--|---|
| | | ACCOUNT FORMS—concl'd. | |
| | | (b) Registers—concl'd. | Volume I. |
| (M) 21(i) and (M) 21(ii). | (A) 19(i) and (A) 19(ii). | Daily Register of Deposits repaid :—
Part I—A Deposits.
Part II—B Deposits. | Rule 808. |
| (M) 22 | (A) 20 | Clearance Register of A Deposits .. | Rule 831. |
| (M) 23 | (A) 21 | District Judge's Daily Register of Deposits advised by Subordinate Courts. | Rule 819. |
| (M) 24 | Abolished | } See (A) 22. | |
| (M) 25 | Abolished | | |
| (M) 26 | Abolished | | |
| (M) 27 | (A) 22 | Register of judicial deposits (other than civil deposits and peremptory receipts) and refunds therefrom. | Rule 844. |
| (M) 28 | (A) 23 | Register of counterfoils of receipts granted by Cashier for Peremptory Cash Receipts. | Rule 772. |
| (M) 29(i) and (M) 29(ii). | (A) 24 | Peremptory Cash Register .. | Rule 773. |
| (M) 30 | (A) 25 | Cash Book | Rule 774. |
| (M) 30(i) | (A) 26 | Bill Register | Rule 775. |
| (M) 31 | (A) 27 | Register of unclaimed Intestate Property. | Rule 848. |
| (M) 32 | (A) 28 | Sale Account | Rule 770(2). |
| (M) 33 | } Abolished. | | |
| (M) 34 | | | |
| (M) 35 | | | |
| (M) 36 | (A) 29 | Register of Contract contingent charges. | Government Account Rules. |
| (M) 37 | (A) 30 | Register of contingent charges .. | Ditto. |
| C. P. 76A | *(A) 31 | Receipt with counterfoils .. | Rule 202. |
| (M) 27A | (A) 32 | Register of Fees, Fines, Penalties and Forfeitures. | Rule 845. |
| (M) 2 | (A) 33 | Receipts to accompany cheque of Land Acquisition Officer. | Rule 759, Note 5(b). |

* Note.—This form is obtainable in the vernacular only.

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|--|-----------------|--|---|
| PRIMARY REGISTERS. | | | Volume I. |
| (M) 38(i) | (R) 1(i) | Register of Title and other suits .. | Rule 863. |
| (M) 38(ii) | (R) 1(ii) | Register of suits for Money and Movables. | Ditto. |
| | (R) 1(iii) | Register of rent suits | Ditto. |
| | | <i>Note.—Same form for the three registers.</i> | |
| (M) 39-41
(M) 43-44
(M) 48
(M) 52 | (R) 2 | Register of Miscellaneous Judicial Cases. | Rules 858 and 865. |
| (M) 42 | | | |
| (M) 45 | | | |
| (M) 46 | | | |
| (M) 47 | (R) 3 | Register of Insolvency petitions under Act V of 1920. | Rules 858 and 417(2). |
| (M) 45 | Abolished. | | |
| (M) 46 | (R) 4 | Register of applications under the B. T. Act. | Rule 865. |
| (M) 47 | (R) 5 | Register of applications for the execution of decrees. | Rules 858 and 864. |
| (M) 49(i) | (R) 6(i) | Register of Title appeals .. | Rule 866. |
| | (R) 6(ii) | Register of Money appeals .. | Ditto. |
| (M) 49(ii) | (R) 6(iii) | Register of Rent appeals .. | Ditto. |
| | | <i>Note.—Same form for the three registers.</i> | |
| (M) 50(i) | (R) 7(i) | Supplementary Register of appeals | Ditto. |
| | (R) 7(ii) | Supplementary Register of Money appeals. | Ditto. |
| | (R) 7(iii) | Supplementary Register of Rent appeals. | Ditto. |
| (M) 50(ii) | (R) 7(iv) | Supplementary Register of Miscellaneous appeals. | Ditto. |
| | | <i>Note.—Same form for the four registers.</i> | |
| (M) 51 | (R) 8 | Register of Miscellaneous appeals .. | Rule 867. |
| (M) 52 | Abolished. | | |
| (M) 53 | (R) 9 | Register of suits before Courts of Small Causes. | Rule 868. |
| (M) 54 | (R) 10 | Small Causes Book | Rule 869. |
| (M) 55 | (R) 11 | Index to Wills | Rule 868. |

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|------------------------------|----------------------------|--|---|
| SUBSIDIARY REGISTERS. | | | |
| (M) 58 | (R) 12 | Diary of Civil Courts | Rule 12. |
| New .. | (R) 12-A | Filing Register | Rule 54. |
| (M) 59 | } (R) 13 | Register of petitions and Court-fees | Rules 31 and 858. |
| (M) 60 | | | |
| (M) 61 | (R) 14 | Register of processes served by the establishment under the Nazir. | Rule 858. |
| New | (R) 15 | Register of service of summonses on witnesses by the parties under Or. 16, r. 7-A. | Rule 107 (2). |
| (M) 62 | (R) 16 | Register of process-serving peons .. | Rules 858 and 988. |
| (M) 63 | Abolished. | | |
| (M) 64 | *(R) 17 | Process-serving peon's Diary .. | Rule 858. |
| (M) 64-A | (R) 17-A | Ditto in Bengali. | |
| (M) 64-B | (R) 17-B | Ditto in Hindi. | |
| (M) 64-A | (R) 18 | Register of works done by process-serving peons. | Rules 858 and 999. |
| New | (R) 18-A | Register of process distributed .. | Rule 858. |
| (M) 25 | (R) 19 | Register of Instruments impounded and stamp duty and penalty realised. | Rule 858. |
| (M) 57-A | (R) 20 | Register of securities jewellery or other valuable articles in the custody of the Nazir. | Rules 229 and 858. |
| (M) 57-B | (R) 21 | Register of ordinary movables and livestock attached. | Ditto. |
| New | (R) 22 (i) and (R) 22 (ii) | Register of Decrees received from and sent to other courts for execution.

Part I—Decrees received for execution.

Part II.—Decrees transferred for execution. | Rules 267 and 858. |
| (M) 65 | (R) 23 | Register of application for copies | Rules 858 and 870. |
| New | (R) 24 | Register of application for information. | Rules 593 and 858. |
| New | (R) 25 | Register of inspection of record .. | Rule 858. |
| New | (R) 26 | Register of information to parties about stamps and stamped sheets necessary for copies. | Rules 626 and 858. |

*Note—This form is obtainable in the vernacular only.

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|---------------------------|---|--|---|
| | | SUBSIDIARY REGISTERS—contd. | |
| New | (R) 27 | Register of copies and information ready for delivery. | Rules 657 and 858. |
| (M) 66 | (R) 28 | Register of requisitions for documents from copying departments. | Rules 533 and 858. |
| (M) 67 }
(M) 77. } | (R) 29 | Register of records issued from the Record Room or Courts. | Rules 513 and 532(2). |
| New | (R) 29-A | Register of records or documents received from the Record Room or Courts. | Rule 858. |
| (M) 56 | (R) 30 | Register of applications for the return of documents. | Rule 534. |
| (M) 57 | (R) 31 | Register of draft sale certificates and applications for sale certificates. | Rule 858. |
| (M) 70 | (R) 32 | List of records sent to the District Record Room. | Rule 495. |
| (M) 71 | (R) 33 | List of Registers to be permanently preserved. | Rule 497. |
| (M) 72 | (R) 34 | Register of commissions issued under Or. 26, rr. 1, 9, 11 or 13, C. P. Code. | Rules 858 and 281. |
| (M) 68 | (R) 35 | Register of pleaders and mukhtears. | Rules 858, 935 and 946. |
| (M) 69 | (R) 36 | Register of registered clerks of pleaders and mukhtears. | Rules 858 and 978 (4). |
| New | (R) 37 | Register of information regarding process-fees, processes, etc., due. | Rules 15 and 858. |
| (M) 78 }
(M) 78A } | (R) 38 | Register of application for payment order. | Rules 513 and 778. |
| New | (R) 38A | Pending list | Rule 1035. |
| (M) 75 | (R) 39(i)* | Register of Receipts and Issues of printed forms. | Rules 858 and 1028. |
| (M) 75-A | (R) 39(ii)† | Register of Receipts and Issues of printed forms. | Ditto. |
| New | (R) 39A | Register of Stationery articles received and issued. | Rules 858 and 1033. |
| Form in Rule 7A, Ch. XIV. | (R) 40 (i)
(R) 40 (ii)
(R) 40(iii). | Register of furniture and stores in three parts. | Rules 858 and 1060. |

*For use in the Civil Courts in Bengal.

†For use in the Civil Courts in Assam.

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|--------------------------------------|-----------------|--|---|
| SUBSIDIARY REGISTERS—concl'd. | | | |
| (M) 76 | (R) 41 | Register of casual leave .. | Rules 858 and 1089 (5). |
| | | Register of attendance of ministerial officers (a). | Rules 858 and 871. |
| | | Register of letters issued (a). | |
| | | Register of letters received (a). | |
| STATISTICAL REGISTERS. | | | |
| (M) 79 to (M) 81. | (R) 42 | Register of suits instituted according to valuation. | Rules 858 and 872. |
| | | <i>NOTE.—A separate register shall be maintained for each class of suits.</i> | |
| (M) 80 (M) 81 | } (R) 43 | Register of suits instituted according to classification. | Ditto. |
| (M) 82 (M) 86 | } (R) 44 | Register of original cases and appeals received by transfer or upon remand, review or revival. | Ditto. |
| | | <i>NOTE.—One register shall be maintained for cases and another for appeals.</i> | |
| (M) 83 to (M) 85. | (R) 45 | Register of appeals instituted against decrees in suits according to valuation. | Ditto. |
| | | <i>NOTE.—A separate register shall be maintained for appeals in each class of suits.</i> | |
| (M) 87 to (M) 90. | (R) 46 | Register of suits and Miscellaneous (Judicial) cases disposed of. | Ditto. |
| | | <i>NOTE.—A separate register shall be maintained for each class of suits and for Miscellaneous (Judicial) cases.</i> | |
| (M) 91 to (M) 94. | (R) 47 | Register of appeals disposed of .. | Ditto. |
| | | <i>NOTE.—A separate register shall be maintained for each class of appeals and for miscellaneous appeals.</i> | |
| (M) 95 | (R) 48 | Register showing the results of applications for the execution of decrees disposed of. | Ditto. |

(a) Form prescribed by Government should be used.

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|--------------------|-----------------|---|---|
| | | STATISTICAL REGISTERS—<i>conold.</i> | |
| (M) 96 | Abolished. | | |
| (M) 97 | Abolished. | | |
| | | Register of interlocutory Injunctions (a). | |
| | | Register of cases in which proceedings have been stayed (b). | |
| New | (R) 49 | Register of Guardians and Managers and their accounts. | |
| | | PERIODICAL RETURNS AND STATEMENTS. | |
| | | • (a) <i>Monthly Returns.</i> | |
| (M) 98 to (M) 103. | (S) 1 | Statement showing the number of suits and cases disposed of and pending. | Rules 873 and 894. |
| (M) 104 | (S) 2 | *Statement of sales held and confirmed. | Rule 248. |
| (M) 104-A | (S) 3 | Statement of cases and appeals pending for hearing of arguments and delivery of judgments. | Rule 166. |
| | | • | |
| | | (b) <i>Quarterly Returns.</i> | |
| (M) 105 | (S) 4 | Statement A showing the number and general result of Original suits and Miscellaneous (Judicial) cases. | Ditto. |
| (M) 106. | | | |
| (M) 107 | Abolished. | | |
| (M) 106 | (S) 5 | Statement B showing the result of proceedings on applications for execution of decrees. | Rules 873 and 894. |
| (M) 108 | (S) 6 | Statement C showing the number and general result of Regular and Miscellaneous Appeals. | Ditto. |
| (M) 109 | | | |
| (M) 110 | Abolished. | | |
| (M) 111 | | | |
| (M) 112 | | | |
| (M) 113 | (S) 7 | Concise statement of outturn of work of the Courts. | Rule 911. |

(a) Register to be maintained in Form No. (S) 19 for Annual Statement.

(b) Register to be maintained in Form No. (S) 9 for Half-yearly Statement.

*This return has since been made quarterly.

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|---|-----------------|---|---|
| <p align="center">PERIODICAL RETURNS AND STATEMENTS—contd.</p> <p align="center"><i>(c) Half-yearly Returns.</i></p> | | | |
| (M) 176 | } Abolished. | | |
| (M) 177 | | | |
| (M) 178 | | | |
| New | (S) 8 | Statement showing the progress made in the disposal of old cases. | Rule 910. |
| New | (S) 9 | Statement showing the cases of which proceedings have been stayed. | |
| | | NOTE.—Statement in forms No. (R) 34 and (S) 28 should also be submitted half-yearly to the District Judge by the Subordinate Courts. | |
| <p align="center"><i>(d) Annual Statements.</i></p> | | | |
| (M) 117 | (S) 10 | Statement 1 showing the area and population of judicial divisions, officers employed and the receipts and charges of Civil Courts. | Rule 873. |
| (M) 118 | (S) 11 | Statement 2 showing the number and description of civil suits instituted in Civil Courts. | Ditto. |
| (M) 119 | (S) 12 | Statement 3 showing the number and value of suits instituted in Civil Courts. | Ditto. |
| (M) 120 | (S) 13 | Statement 4, Part I, showing the general result of the trial of civil cases in Courts of Original Jurisdiction. | Ditto. |
| (M) 121 | (S) 14 | Statement 4, Part II, showing the general result of the trial of civil cases Miscellaneous (Judicial) in Courts of Original Jurisdiction. | Ditto. |
| (M) 122 | (S) 15 | Statement 5, Part I, showing the business of Civil Appellate Courts (Appeals from decrees). | Ditto. |
| (M) 123 | (S) 16 | Statement 5, Part II, showing the business of Civil Appellate Courts (Miscellaneous Appeals—Judicial). | Ditto. |
| (M) 124 | (S) 17 | Statement 6 showing the result of proceedings on application for the execution of the Decrees of Civil Courts. | Ditto. |

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|-----------------|-----------------|--|---|
| | | <p>PERIODICAL RETURNS AND STATEMENTS—<i>contd.</i></p> <p>(d) <i>Annual Statements—concl'd.</i></p> | |
| (M) 125 | (S) 18 | Statement 7 showing proceedings in insolvency under the Provincial Insolvency Act (V of 1920). | Rule 873. |
| (M) 126 | Abolished. | | |
| (M) 127 | Abolished. | | |
| (M) 128 | Abolished. | | |
| (M) 129 | Abolished. | | |
| New | (S) 19 | Statement showing the number of applications for interlocutory injunctions instituted, disposed of and pending. | Ditto. |
| New | (S) 20 | Statement showing the number of long pending original suits and Miscellaneous cases remaining undecided at the close of the year. | Ditto. |
| New | (S) 21 | Statement showing the number of long pending Regular and Miscellaneous Appeals remaining undecided at the close of the year. | Ditto. |
| | | (e) <i>Annual Tables.</i> | |
| (M) 130 | } (S) 22 | Table I showing the number of suits instituted, disposed of and pending and the manner of disposal of suits of each class. | Rules 873 and 913. |
| (M) 132 | | | |
| (M) 133 | (S) 23 | Table II showing applications for the execution of decree filed, disposed of and pending. | Ditto. |
| (M) 134 | } (S) 24 | Table III showing the number of Miscellaneous cases (Judicial and non-Judicial) instituted, disposed of and pending. | Ditto. |
| (M) 135 | | | |
| (M) 136 | } (S) 25 | Table IV showing the number of appeals from decisions in Regular suits, instituted, disposed of and pending and the manner of disposal of appeals of each class. | Ditto. |
| (M) 139 | | | |
| (M) 140 | (S) 26 | Table V showing the number of Miscellaneous Appeals, instituted, disposed of and pending. | Ditto. |

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|-----------------|-----------------|---|---|
| | | PERIODICAL RETURNS AND STATEMENTS—conold. | |
| | | <i>(c) Annual Tables—conold.</i> | |
| (M) 137 | (S) 27 | Table VI showing the number of appeal preferred from decisions in Original suits, the ratio of appeals to appealable decisions; the number of decisions affirmed, reversed and the ratio of affirmed, etc., decided. | Rules 873 and 913. |
| (M) 138 | Abolished. | | |
| (M) 141 | (S) 28 | Table VII showing the number of applications for an order to set aside an <i>ex parte</i> judgment, or a judgment in default, preferred, disposed of and pending.

<i>NOTE.—This statement should also be submitted half-yearly to the District Judge, by Munsifs, Subordinate Judges and Small Cause Court Judges.</i> | Ditto. |
| (M) 142 | (S) 29 | Table VIII showing the number and value of suits and appeals of each class instituted. | Ditto. |
| (M) 143 | Abolished. | | |
| (M) 144 | Abolished. | | |
| (M) 145 | Abolished. | | |
| (M) 146 | (S) 30 | Table IX showing the receipts and disbursements on account of Commissioners employed in the execution of Commissions under Or. 26, C. P. Code. | Ditto. |
| (M) 147 | (S) 31 | Table X showing the immovable property held, acquired, or disposed of, etc., by Uncovenanted Judicial Officers.

<i>Annual Table (Financial year)</i> | Ditto. |
| (M) 149 | (S) 32 | Table XI showing the number of Probates, Letters of Administration, Certificates and extended certificates and the duty levied thereon. | Ditto. |
| (M) 150 | Abolished. | | |
| | | <i>Annual Returns (Calendar year).</i> | |
| (M) 148 | (S) 33 | Annual Return of Legal Practitioners enrolled. | Rule 873. |

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|------------------|-----------------|--|---|
| JUDICIAL. | | | |
| (M) 151 | (J) 1 | Heading of deposition. | Or. 18, 125, C. P. C. |
| (M) 153 | } Abolished. | | |
| (M) 154 | | | |
| (M) 157 | (J) 2 | Heading of judgment in original suits/case. | |
| (M) 158 | (J) 3 | Heading of judgment on appeal. | |
| (M) 163 | (J) 4 | Title page of File A of Class I of records. | Rule 456. |
| (M) 164 | (J) 5 | Title page of File B of Class II of records. | Ditto. |
| (M) 165 | (J) 6 | Title page of File C, C ₁ , C ₂ of Class I, II and III of records. | Ditto. |
| (M) 166 | Abolished. | | |
| (M) 167 | (J) 7 | Title page of File D of Class I, III and III-A of records. | Ditto. |
| New | (J) 8 | Title page of File E of Class III-A of records. | Ditto. |
| (M) 168 | (J) 9 | Title page of File B of Class IV of records. | Ditto. |
| (M) 169 | (J) 10 | Title page of File C of Class IV of records. | Ditto. |
| New | (J) 11 | Title page of File E of Class IV-A of records. | Ditto. |
| (M) 170 | (J) 12 | Table of contents of records. | Rules 458 and 459. |
| (M) 162 | (J) 13 | Order Sheet (first sheet). | Rule 462. |
| | (J) 13(a) | Order Sheet (second and subsequent sheets). | Ditto. |
| New | (J) 14 | Short case Diary for Original Suits. | Rule 13. |
| New | (J) 15 | Short case Diary for Appeals. | Ditto. |
| New | (J) 16 | Short case Diary for Small Causes. | Ditto. |
| (M) 171-A | (J) 17 | Form of registered address of a party | Rule 21 and Or. 6, r. 14-A, C. P. C. |
| C. P. 18 | (J) 18 | Order for delivery of interrogatories (Or. 11, r. 1). | Or. 11, r. 1, C. P. C. |
| C. P. 19 | (J) 19 | Order to produce documents for inspection (Or. 11, r. 14). | Or. 11, r. 14, C. P. C. |

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|------------------------|-----------------|--|---|
| JUDICIAL—contd. | | | |
| C. P. 99 | (J) 20 | Order of reference to arbitration (Sch. II, C. P. Code). | 2nd Schedule, C. P. C. |
| C. P. 99-A | (J) 20-A | Ditto in Bengali. | |
| C. P. 100 | (J) 21 | Order for appointment of new arbitrator (Sch. II, C. P. Code). | Ditto. |
| C. P. 100-A | (J) 21-A | Ditto in Bengali. | |
| C. P. 90 | (J) 22 | List of documents produced by plaintiff/defendant (Or. 13, r. 1). | Or. 13, r. 1, C. P. C. |
| (M) 171 | (J) 23 | List of documents admitted in evidence. | Rule 475. |
| C. P. 75 | (J) 24 | Appointment of a Receiver (Or. r. 1). | Or. 40, r. 1, C. P. C. |
| C. P. 20 | (J) 25 | Decree in original suits (Or. 20, rr. 6, 7). | Or. 20, rr. 6, 7, C. P. C. |
| C. P. 20-A | (J) 25-A | Ditto in Bengali. | |
| C. P. 20-B | (J) 25-B | Ditto in Assamese. | |
| C. P. 21 | (J) 26 | Simple money decree (S. 34, C. P. C.) | Section 34, C. P. C. |
| C. P. 21-A | (J) 26-A | Ditto in Bengali. | |
| C. P. 21-B | (J) 26-B | Ditto in Assamese. | |
| New | (J) 27 | Decree under Or. 21, r. 11(1) | Or. 21, r. 11(1), C. P. C. |
| | (J) 27-A | Ditto in Bengali. | |
| C. P. 22 | (J) 28 | Decree in original suits between landlord and tenant for the recovery of rents.* | Framed under the Bengal Tenancy Act, 1885. |
| C. P. 22-A | (J) 28-A | Ditto in Bengali. | |
| C. P. 23 | (J) 29 | Decree for recovery of land and mesne-profits. (Or. 20, r. 12). | Or. 20, r. 12, C. P. C. |
| C. P. 23-A | (J) 29-A | Ditto in Bengali. | |
| C. P. 24 | (J) 30 | Preliminary decree for foreclosure [Or. 34, r. 2(1)(a)]. | Or. 34, r. 2(1)(a), C. P. C. |
| C. P. 24-A | (J) 30-A | Ditto in Bengali. | |
| C. P. 24-(i) | (J) 30-(i) | Preliminary decree for foreclosure [Or. 34, r. 2(1)(b)]. | r. 34, r. 2(1)(b), C. P. C. |
| C. P. 24(i)A | (J) 30(i)A | Ditto in Bengali. | |

*The decree is framed under the Bengal Tenancy Act, 1885.

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|------------------------|-----------------|--|---|
| JUDICIAL—contd. | | | |
| C. P. 25 | (J) 31 | Final decree for foreclosure [Or. 34, r. 3(2)]. | Or. 34, r. 3(2), C. P. C. |
| C. P. 25-A | (J) 31-A | Ditto in Bengali. | |
| C. P. 25(i) | (J) 31(i) | Final decree for foreclosure in a redemption suit on default of payment by mortgage [Or. 34, r. 8(3)]. | Or. 34, r. 8(3), C. P. C. |
| C. P. 26 | (J) 32 | Preliminary decree for sale [Or. 34, r. 4(1)]. | Or. 34, r. 4(1), C. P. C. |
| C. P. 26-A | (J) 32-A | Ditto in Bengali. | |
| C. P. 26(i) | (J) 32(i) | Preliminary decree for sale [Or. 34, r. 4(1)]. | Ditto. |
| C. P. 26(i)A | (J) 32(i)A | Ditto in Bengali. | |
| C. P. 26(ii) | (J) 32(ii) | Preliminary decree for sale [Or. 34, r. 4(4)]. | Or. 34, r. 4(4), C. P. C. |
| C. P. 27 | (J) 33 | Final decree for sale [Or. 34, r. 5(3)] | Or. 34, r. 5(3), C. P. C. |
| C. P. 27-A | (J) 33-A | Ditto in Bengali. | |
| C. P. 27(i) | (J) 33(i) | Final decree for sale in a redemption suit on default of payment by mortgagor [Or. 34, r. 8(1)]. | Or. 34, r. 8(1), C. P. C. |
| C. P. 27(ii) | (J) 33(ii) | Final decree in a suit for foreclosure sale or redemption where the mortgagor pays the amount of the decree [Or. 34, rr. 3(1), 5(1) and 8(1)]. | Or. 34, rr. 3(1), 5(1) and 8(1), C. P. C. |
| C. P. 27(ii)A | (J) 33(ii)A | Ditto in Bengali. | |
| C. P. 27(iii) | (J) 33(iii) | Preliminary decree for foreclosure or sale [Or. 34, rr. 2(3) and 4(4)]. | Or. 34, rr. 2(3) and 4(4), C. P. C. |
| C. P. 28 | (J) 34 | Decree against mortgagor personally [Or. 34, rr. 6 and 8-A]. | Or. 34, rr. 6 and 8-A, C. P. C. |
| C. P. 28-A | (J) 34-A | Ditto in Bengali. | |
| C. P. 29 | (J) 35 | Preliminary decree for redemption [Or. 34, r. 7(1)(a)]. | Or. 34, r. 7(1)(a), C. P. C. |
| C. P. 29-A | (J) 35-A | Ditto in Bengali. | |
| C. P. 29(i) | (J) 35(i) | Preliminary decree for redemption [Or. 34, r. 7(1)(a)]. | Ditto. |
| C. P. 29(i)A | (J) 35(i)A | Ditto in Bengali. | |

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|------------------------|-----------------|---|---|
| <i>JUDICIAL—contd.</i> | | | |
| C. P. 29(ii) | (J) 35(ii) | Preliminary decree for redemption [Or. 34, r. 7(1)(b)]. | Or. 34, r. 7(1)(b), C. P. C. |
| C. P. 29(ii)A | (J) 35(ii)A | Ditto in Bengali. | |
| C. P. 29(iii) | (J) 35(iii) | Preliminary decree for redemption [Or. 34, r. 7(1)(b)]. | Ditto. |
| C. P. 29(iii)A | (J) 35(iii)A | Ditto in Bengali. | |
| C. P. 29(iv) | (J) 35(iv) | Preliminary decree for redemption of prior mortgage and foreclosure or sale on subsequent mortgage [Or. 34, rr. 2(3) and 4(4)]. | Or. 34, rr. 2(3) and 4(4), C. P. C. |
| C. P. 91 | (J) 36 | Commission to examine absent witness (Or. 26, rr. 4 and 18). | Or. 26, rr. 4, 18, C. P. C. |
| C. P. 92 | (J) 37 | Commission for a local investigation or to examine accounts (Or. 26, rr. 9, 11).* | Or. 26, rr. 9, 11, C. P. C. |
| (M) 155 | (J) 38 | Proceeding in connection with the the issue of commissions under Or. 26, r. 9. | Rule 314. |
| C. P. 93 | (J) 39 | Commission to make a partition (Or. 26, r. 13). | Or. 26, r. 13, C. P. C. |
| C. P. 84 | (J) 40 | Decree on appeal (Or. 41, r. 35) | Or. 41, r. 35, C. P. C. |
| C. P. 84-A | (J) 40-A | Ditto in Bengali. | |
| C. P. 77 | (J) 41 | Memorandum of appeal (Or. 41, r. 1) | Or. 41, r. 1, C. P. C. |
| C. P. 77-A | (J) 41-A | Ditto in Bengali. | |
| C. P. 77-C | (J) 41-C | Ditto in Hindi. | |
| C. P. 96 | (J) 42 | Report to High Court of service of notice on respondent in special appeal (Or. 41, r. 14). | Or. 41, r. 14, C. P. C. |
| C. P. 31 | (J) 43 | Order sending decree for execution to another Court. (Or. 21, r. 6). | Or. 21, r. 6, C. P. C. |
| C. P. 32 | (J) 44 | Certificate of execution of decree transferred to another court (Or. 21, r. 6). | Ditto. |
| C. P. 88 | (J) 45 | Letter transmitting decree for execution in another Court (S. 39, C. P. Code). | Section 39, C. P. C. |
| C. P. C. 33 | (J) 46 | Certificate for non-satisfaction of decree (Or. 21, r. 6). | Or. 21, r. 6, C. P. C. |

* See also Form No. (J) 38.

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|-----------------------------------|-----------------|---|--|
| <i>JUDICIAL—contd.</i> | | | |
| C. P. 34 | (J) 47 | Application for execution of decree (Or. 21, r. 11). | Or. 21, r. 11, C. P. C. |
| C. P. 34 | (J) 48 | Certificate to judgment-debtor authorising him to mortgage, lease or sell property (Or. 21, r. 83). | Or. 21, r. 83, C. P. C. |
| C. P. 68 | (J) 49 | Precept (S. 46, C. P. Code) | Section 46, C. P. C. |
| C. P. 62 | (J) 50 | Application by judgment-debtor to set aside sale on deposit of debt (Or. 21, r. 89). | Or. 21, r. 89, C. P. C. |
| C. P. 63 | (J) 51 | Order confirming sale of land (Or. 21, r. 92). | Or. 21, r. 92, C. P. C. |
| C. P. 63A | (J) 51A | Ditto in Bengali, | |
| C. P. 63B | (J) 51B | Ditto in Assamese. | |
| C. P. 65 | (J) 52 | Certificate of sale of land (Or. 21, r. 94). | Or. 21, r. 94, C. P. C. |
| C. P. 65A | (J) 52A | Ditto in Bengali | |
| <i>Indian Succession Act.</i> | | | |
| C. P. 107 | (J) 53 | Grant of Probate of Will (S. 289, Succession Act). | Section 289 Succession Act. |
| C. P. 108 | (J) 54 | Grant of Letters of Administration (S. 90, Succession Act). | Section 90 Succession Act. |
| C. P. 127 | (J) 55 | Succession Certificate (S. 377, Succession Act). | Section 377 Succession Act. |
| C. P. 127A | (J) 55A | Ditto in Bengali. | |
| C. P. 128 | (J) 56 | Extended Succession Certificate (S. 377, Succession Act). | Section 377 Succession Act. |
| C. P. 128A | (J) 56A | Ditto in Bengali. | |
| <i>Provincial Insolvency Act.</i> | | | |
| C. P. 137 | (J) 57 | Debtor's petition (S. 13) | Section 13, Act V of 1920: Rule 417, Vol. I, C. R. & O. |
| C. P. 139 | (J) 58 | Order of adjudication (S. 27) | Section 27, Act V of 1920: Rule 417, Vol. I, C. R. & O. |
| C. P. 141 | (J) 59 | Order annulling adjudication (S. 35) | Section 35, Act V of 1920: Rule 417, C. R. & O., Vol. I. |

| Form No. (Old). | Form No (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|---|------------------------|---|---|
| JUDICIAL—contd. | | | |
| <i>Provincial Insolvency Act—concltd.</i> | | | |
| C. P. 145 | (J) 60 | Order of discharge subject to conditions as to earnings, after acquired property and income [S. 41 (2), (a), (b) or (c)]. | Section 41(2), (a), (b), or (b), Act V of 1920; Rule 417, C. R. & O., Vol. I. |
| C. P. 148 | (J) 61 | Order appointing a Receiver (S. 56) | Section 56, Act V of 1920. |
| <i>Guardian and Wards Act.</i> | | | |
| C. P. 132 | (J) 62 | Application for guardianship (S. 10) | Section 10, Act VIII of 1890. |
| C. P. 132A | (J) 62A | Ditto in Bengali. | |
| C. P. 132C | (J) 62 C | Ditto in Hindi. | |
| PROCESS. | | | |
| C. P. 1 | (P) 1 | Notice to person who, the Court considers should be added as co-plaintiff (Or. 1, r. 10, C. P. C.). | Or. 1, r. 10, C. P. C. |
| C. P. 1A | (P) 1 (Bengali). | Ditto in Bengali. | |
| C. P. 5 | (P) 1-A | Return of service of Summons, Notice, etc. | Or. V, r. 18, C. P. C. |
| C. P. 5A | (P) 1-1A (Bengali). | Ditto in Bengali. | |
| C. P. 5B | (P) 1-A (Assamese). | Ditto in Assamese. | |
| C. P. 94 | (P) 2* | Notice to minor defendant and guardian of application for appointment of the guardian to be guardian for the suit (Or. 32, r. 3). | Or. 32, r. 3, C. P. C. |
| C. P. 94A | (P) 2A | Ditto in Bengali. | |
| New | (P) (2) (i) | Notice to minor defendant and guardian of application for appointment of another person to be guardian for the suit (Or. 32, r. 3). | Ditto. |
| | (P) (2) (i) (Bengali). | Ditto in Bengali. | |
| C. P. 95 | (P) 3 | Notice to opposite party of day fixed for hearing evidence of pauperism (Or. 33, r. 6). | Or. 33, r. 6, C. P. C. |
| C. P. 95A | (P) 3A | Ditto in Bengali. | |

*For form of notice to minor defendant under Or. 32, r. 3, C. P. Code and natural guardians of minor defendant under 148 (A), B. T. Act, in suit for arrears of rent, see P) 61.

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|----------------------------------|-----------------|---|---|
| PROCESS—contd. | | | |
| C. P. 2 | (P) 4 | Summons to appear in person (Or. 5, r. 3). | Or. 5, r. 3, C. P. C. |
| C. P. 2A | (P) 4A | Ditto in Bengali. | |
| C. P. 2B | (P) 4B | Ditto in Assamese. | |
| C. P. 3
C. P. 4
C. P. 4(1) | (P) 5 | Summons for final disposal or for ascertaining whether a suit is contested or for settlement of issues (Or. 5, rr. 1, 5). | Or. 5, rr. 1, 5, C. P. C. |
| C. P. 3A | (P) 5A | Ditto in Bengali. | |
| C. P. 3B | (P) 5A | Ditto in Assamese. | |
| C. P. 3C | (P) 5C | Ditto in Hindi. | |
| C. P. 16 | (P) 6 | Summons to legal representative of a deceased defendant (Or. 22, r. 4.) | Or. 22, r. 4, C. P. C. |
| C. P. 16A | (P) 6A | Ditto in Bengali. | |
| C. P. 17 | (P) 7 | Summons in summary suits on negotiable instrument (Or. 37, r. 2). | Or. 37, r. 2, C. P. C. |
| C. P. 17A | (P) 7A | Ditto in Bengali. | |
| C. P. 9 | (P) 8 | Notice to defendant (Or. 9, r. 6) | Or. 9, r. 6, C. P. C. |
| C. P. 9A | (P) 8A | Ditto in Bengali. | |
| C. P. 98 | (P) 9 | Notice to show cause (General form) | App. H, Form 4, C. P. C. |
| C. P. 98A | (P) 9A | Ditto in Bengali. | |
| C. P. 10 | (P) 10 | Summons to witness (Or. 16, rr. 1, 5). | Or. 16, rr. 1, 5, C. P. C. |
| C. P. 10A | (P) 10A | Ditto in Bengali. | |
| C. P. 10B | (P) 10B | Ditto in Assamese. | |
| C. P. 13 | (P) 11 | Warrant of arrest of witness (Or. 16, r. 10). | Or. 16, r. 10, C. P. C. |
| C. P. 13A | (P) 11A | Ditto in Bengali. | |
| C. P. 11 | (P) 12 | Proclamation requiring attendance of witness (Or. 16, r. 10). | Or. 16, r. 10, C. P. C. |
| C. P. 11A | (P) 12A | Ditto in Bengali. | |
| C. P. 14 | (P) 13 | Warrant of attachment of the property of witness (Or. 16, r. 10). | Ditto. |
| C. P. 14A | (P) 13A | Ditto in Bengali. | |

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|-----------------------|-----------------|---|---|
| Process—contd. | | | |
| C. P. 70 | (P) 14 | Warrant of arrest before judgment (Or. 38, r. 1). | Or. 38, r. 1, C. P. C. |
| C. P. 70 A | (P) 14A | Ditto in Bengali. | |
| C. P. 71 | (P) 15 | Summons to defendant to appear on surety's application for discharge (Or. 38, r. 3). | Or. 38, r. 3, C. P. C. |
| C. P. 72 | (P) 16 | Order to call for security with conditional attachment before judgment for fulfilment of decree (Or. 38, r. 5). | Or. 38, r. 5, C. P. C. |
| C. P. 72A | (P) 16A | Ditto in Bengali. | |
| C. P. 72B | (P) 16B | Ditto in Assamese. | |
| C. P. 73 | (P) 17 | Attachment before judgment on proof of failure to furnish security (Or. 38, r. 6). | Or. 38, r. 6, C. P. C. |
| C. P. 73A | (P) 17A | Ditto in Bengali. | |
| C. P. 74 | (P) 18 | Temporary injunction (Or. 39, r. 1) | Or. 39, r. 1, C. P. C. |
| C. P. 74A | (P) 18A | Ditto in Bengali. | |
| New | (P) 19 | Notice of deposit of decretal amount under Or. 21, r. 1 (2). | Or. 21, r. 1(2) C. P. C. |
| | (P) 19A | Ditto in Bengali. | |
| C. P. 30 | (P) 20 | Notice to show cause why a payment or adjustment should not be recorded as certified (Or. 21, r. 2). | Or. 21, r. 2, C. P. C. |
| C. P. 30 A | (P) 20 A | Ditto in Bengali. | |
| C. P. 35 | (P) 21 | Notice of application for execution of a decree transferred for assignment (Or. 21, r. 16). | Or. 21, r. 16, C. P. C. |
| C. P. 35A | (P) 21A | Ditto in Bengali. | |
| C. P. 36 | (P) 22 | Notice to show cause why execution should not issue (Or. 21, r. 22). | Or. 21, r. 22, C. P. C. |
| C. P. 36A | (P) 22A | Ditto in Bengali. | |
| C. P. 36B | (P) 22B | Ditto in Assamese. | |
| C. P. 38 | (P) 23 | Warrant to the bailiff to give possession of land, etc. (Or. 21, r. 35). | Or. 21, r. 35, C. P. C. |
| C. P. 38A | (P) 23A | Ditto in Bengali. | |

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|-----------------|-----------------|--|---|
| | | PROCESS—contd. | |
| C. P. 37 | (P) 24 | Warrant of attachment of movable property in execution of a decree for money (Or. 21, r. 30). | Or. 21, r. 30, C. P. C. |
| C. P. 37A | (P) 24A | Ditto in Bengali. | |
| C. P. 37B | (P) 24B | Ditto in Assamese. | |
| C. P. 39 | (P) 25 | Notice to show cause why warrant of arrest should not issue (Or. 21, r. 37). | Or. 21, r. 37, C. P. C. |
| C. P. 39 A | (P) 25A | Ditto in Bengali. | |
| C. P. 39B | (P) 25B | Ditto in Assamese. | |
| C. P. 40 | (P) 26 | Warrant of arrest in execution (Or. 21, r. 38). | Or. 21, r. 38, C. P. C. |
| C. P. 40A | (P) 26A | Ditto in Bengali. | |
| C. P. 40B | (P) 26B | Ditto in Assamese. | |
| C. P. 41 | (P) 27 | Warrant of committal of judgment-debtor to civil prison (Or. 21, r. 40). | Or. 21, r. 40, C. P. C. |
| C. P. 54 | (P) 28 | Order for the release of a person imprisoned in execution of a decree (Sections 58 and 59, C. P. C.). | Section 58 and 59 C. P. C. |
| C. P. 42 | (P) 29 | Attachment in execution—(1) Prohibitory order, where the property to be attached consists of moveable property to which the defendant is entitled subject to a lien or right of some other person to the immediate possession thereof [(Or. 21, r. 46(1) (c)]. | Or. 21, r. 46(1)(c), C. P. C. |
| C. P. 42A | (P) 29A | Ditto in Bengali. | |
| C. P. 43 | (P) 30 | Attachment in execution—(2) Prohibitory order, where the property consists of debts not being negotiable instruments or of movable property not in the possession of the judgment-debtor [Or. 21, r. 46(1) (a) and (c).] | Or. 21, r. 46(1)(a) and (c), C. P. C. |
| C. P. 43A | (P) 30A | Ditto in Bengali. | |

| Form No. (Old). | Form No (New). | Description of Form. | Section of the Act or Rule to which the form applies.. |
|-----------------------|----------------|---|--|
| <i>PROCESS—contd.</i> | | | |
| C. P. 44 | (P) 31 | Attachment in execution (3)—Prohibitory order, where the property consists of shares in the capital of a Corporation [Or. 21, r. 46 (1) (b)]. | Or. 21, r. 46(1) (b),
C. P. C. |
| C. P. 45 | (P) 32 | Order to attach salary of Public Officer or servant of Railway Company or local authority (Or. 21, r. 48). | Or. 21, r. 48, C. P. C. |
| C. P. 46 | (P) 33 .. | Order of attachment of negotiable instrument (Or. 21, r. 51). | Or. 21, r. 51, C. P. C. |
| C. P. 47 | (P) 34 .. | Attachment (4).—Prohibitory order, where the property consists of money or of any security in the custody of a court of justice or officer of Government (Or. 21, r. 52). | Or. 21, r. 52, C. P. C. |
| C. P. 48 | (P) 35 .. | Notice of attachment of a decree to the court which passed it [Or. 21, r. 53 (1) (b)]. | Or. 21, r. 53 (1) (b),
C. P. C. |
| C. P. 49 | (P) 36 .. | Notice of attachment of a decree to the holder of the decree or to the judgment debtor [Or. 21, r. 53(4) and (6)]. | Or. 21, r. 53 (4) and
(6), C. P. C. |
| C. P. 49A | (P) 36A | Ditto in Bengali. | |
| C. P. 52 | (P) 37 | Order for payment to the plaintiff, etc., of money, etc., in the hands of a third party (Or. 21, r. 56). | Or. 21, r. 56, C. P. C. |
| C. P. 53 | (P) 38 .. | Notice to attaching creditor (Or. 21, r. 58). | Or. 21, r. 58, C. P. C. |
| C. P. 53A | (P) 38A | Ditto in Bengali. | |
| C. P. 53B | (P) 38B | Ditto in Assamese. | |
| C. P. 50 | (P) 39 | Attachment in execution (5)—Prohibitory order, where the property consists of immovable property [Or. 21, r. 54(1)]. | Or. 21, r. 54(1),
C. P. C. |
| C. P. 50A | (P) 39A | Ditto in Bengali. | |
| C. P. 51 | (P) 40 | Notice to Collector forwarding a copy of order of attachment (or sale proclamation) to be hung up in his office [Or. 21, r. 54(2)]. | Or. 21, r. 54 (2),
C.P.C. |
| C. P. 57 | (P) 41 | Order on the Nazir for causing service of sale proclamation (Or. 21, r. 66). | Or. 21, r. 66, C. P. C. |

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or rule to which the form applies. |
|-----------------|-----------------|---|---|
| | | PROCESS—contd. | |
| C. P. 58 | (P) 42 | Notice of the day fixed for settling a sale proclamation (Or. 21, r. 66). | Or. 21, r. 66, C. P. C. |
| C. P. 58A | (P) 42A | Ditto in Bengali. | |
| C. P. 55 | (P) 43 | Warrant of sale of property in execution of a decree for money (Or. 21, r. 66). | Ditto. |
| C. P. 56 | (P) 44 | Proclamation of sale of immovable property (Or. 21, r. 66). | Ditto. |
| C. P. 56A | (P) 44A | Ditto in Bengali. | |
| C. P. 56B | (P) 44B | Ditto in Assamese. | |
| New | (P) 45 | Proclamation of sale of movable property. | Or. 21, r. 66. |
| | (P) 45A | Ditto in Bengali. | |
| G. P. 60 | (P) 46 | Prohibition order against payment of debts sold in execution to any other than the purchaser (Or. 21, r. 79). | Or. 21, r. 79, C. P. C. |
| C. P. 64 | (P) 47 | Notice to show cause why sale should not be set aside (Or. 21, rr. 90, 91, 92). | Or. 21, rr. 90, 91, 92, C. P. C. |
| C. P. 64A | (P) 47A | Ditto in Bengali. | |
| C. P. 66 | (P) 48 | Order for delivery to certified purchaser of land at a sale in execution (Or. 21, r. 95). | Or. 21, r. 95, C. P. C. |
| C. P. 66A | (P) 48A | Ditto in Bengali. | |
| C. P. 67 | (P) 49 | Summons to appear and answer charge of obstructing execution of decree (Or. 21, r. 97). | Or. 21, r. 97, C. P. C. |
| C. P. 67A | (P) 49A | Ditto in Bengali. | |
| C. P. 85 | (P) 50 | Notice of appeal in <i>forma pauperis</i> (Or. 44, r. 1). | Or. 44, r. 1, C. P. C. |
| C. P. 82 | (P) 51 | Notice to respondent of the day fixed for the hearing of the appeal (Or. 41, r. 14). | Or. 41, r. 14, C. P. C. |
| C. P. 82A | (P) 51A | Ditto in Bengali. | |
| C. P. 82B | (P) 51B | Ditto in Assamese. | |
| C. P. 83 | (P) 52 | Notice to a party to a suit not made party to the appeal but joined by the Court as a respondent (Or. 41, r. 20). | Or. 41, r. 20, C. P. C. |

| Form No. (Old). | Form No (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|-------------------|----------------|--|---|
| | | <i>Process—contd.</i> | |
| C. P. 86 | (P) 53 | Notice to show cause why a review should not be granted (Or. 47, r. 4). | Or. 47, r. 4, C. P. C. |
| C. P. 86A | (P) 53A | Ditto in Bengali. | |
| C. P. 86B | (P) 53B | Ditto in Assamese. | |
| C. P. 87 | (P) 54 | Notice of application for the transfer of a suit to another court for trial (Sec. 24, C. P. Code). | Section 24, C. P. C. |
| C. P. 87A | (P) 54A | Ditto in Bengali. | |
| C. P. 89 | (P) 55 | Notice of surety of his liability under a decree (Sec. 145, C. P. Code). | Section 145, C. P. C. |
| (M) 172 | (P) 56 | First notice to take back documents | Rule 486. |
| (M) 172A | (P) 56A | Ditto in Bengali. | |
| (M) 172C | (P) 56C | Ditto in Hindi. | |
| (M) 173 | (P) 57 | Final notice to take back documents | Rule 557. |
| (M) 173A | (P) 57A | Ditto in Bengali. | |
| (M) 173C | (P) 57C | Ditto in Hindi. | |
| | | <i>Bengal Tenancy Act.</i> | |
| C. P. 113 | *(P) 58 | Notice to landlord of deposit of rent in Court [see 63 (2), B. T. Act]. | Section 63, Act VIII of 1885. |
| C. P. 114 | *(P) 59 | Notice to co-sharers of deposit of rent in Court [see 63 (2), B. T. Act]. | Ditto. |
| C. P. 115 | *(P) 60 | Notice of deposit of rent in court to persons believed to claim or to be entitled to the rent, or who are entitled to it (S. 63, B. T. Act). | Section 63, Act. VIII of 1885. |
| C. P. 115A | (P) 61 | Notice to minor defendant under Or. 32, r. 3, C. P. Code, and natural guardian of minor defendant under S. 148(h), B. T. Act, in suit for arrears of rent. | Section 148 (h) Act VIII of 1885. |
| | (P) 61A | Ditto in Bengali. | |
| C. P. 116 to 121. | Cancelled. | | |
| C. P. 122 | *(P) 62 | Notice to third person of payment into court of rent due to him (S. 149). | Section 149, Act VIII of 1885. |

* Note.—These forms are obtainable in the vernacular only.

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|-----------------|-----------------|--|---|
| | | PROCESS—contd. | |
| | | Bengal Tenancy Act—concl. | |
| C. P. 124 | (P) 63 | Order of attachment, proclamation of sale of tenure or holding with power to annual incumbrances in execution of a decree [S. 163(2) (b)]. | Section 163 (2), Act VIII of 1885. |
| C. P. 124A | (P) 63A | Ditto in Bengali. | |
| C. P. 125 | (P) 64 | Order of attachment and proclamation of sale of tenure or holding subject to incumbrances in execution of a decree [S. 163(2) (a)]. | Section 163 (2)(a), Act VIII of 1885. |
| C. P. 125A | (P) 64A | Ditto in Bengali. | |
| C. P. 126 | Cancelled. | | |
| | | Regulation V (Bengal) of 1799. | |
| C. P. 101 | (P) 65 | Notice calling for claimants to property in intestate cases (sec. 7). | 7 Regulation V (Bengal) of 1799. |
| C. P. 101A | (P) 65A | Ditto in Bengali. | |
| | | Land Acquisition Act I of 1894. | |
| C. P. 103 | (P) 66 | Notice to claimants of date fixed for the determination of objection (sec. 20). | Section 20, Act I of 1894. |
| C. P. 103A | (P) 66A | Ditto in Bengali. | |
| C. P. 104 | (P) 67 | Notice to Collector of date fixed for hearing his reference (sec. 20). | Ditto. |
| | | Court fees Act. | |
| C. P. 105 | (P) 68 | Notice to Collector of application made for probate of will or letters of administration (Sec. 19H, cl. (1)). | Section 19H, clause (1), Act XI of 1899. |
| | | Indian Succession Act XXXIX of 1925. | |
| C. P. 106 | (P) 69 | Notice of date fixed for hearing probate or letters of administration cases (sec. 283). | Section, 283, Act 39 of 1925. |
| C. P. 106A | (P) 69A | Ditto in Bengali. | |
| C. P. 129 | *(P) 70 | Notice calling on holder of succession certificate for accounts. | .... |
| C. P. 130 | (P) 71 | Order transmitting notice to other courts for publication of notice of application for succession certificate (S. 373). | Section 373, Act 39 of 1925. |

*Note.—This form is obtainable in the vernacular only.

| Form No. (Old). | Form No (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|-----------------|----------------|---|---|
| | | PROCESS—contd. | |
| | | <i>Indian Succession Act XXXIX of 1925—concl'd.</i> | |
| C. P. 131 | *(P) 72 | Notice inviting other claimants to representation to come forward (S. 373). | Section 373, Act 39 of 1925. |
| | | <i>Guardian and Wards Act VIII of 1890.</i> | |
| C. P. 133 | (P) 73 | Notice of application made for guardianship and of date fixed for hearing (S. 11). | Section 11, Act VIII of 1890. |
| C. P. 133A | (P) 73A | Ditto in Bengali. | |
| | | <i>Transfer of Property Act IV, of 1882.</i> | |
| C. P. 135 | (P) 74 | Notice of deposit (S. 83) | Section 83, Act IV of 1882. |
| C. P. 135A | (P) 74A | Ditto in Bengali. | |
| | | <i>Provincial Insolvency Act V of 1920.</i> | |
| C. P. 138 | (P) 75 | Notice to creditors of the date of hearing of an insolvency petition (S. 19). | Section 19, Act V of 1920: Rule 417, Vol. I. |
| C. P. 138A | (P) 75A | Ditto in Bengali. | |
| C. P. 140 | (P) 76 | Notice of application by unscheduled creditor [S. 33 (3)]. | Section 33 (6), ditto |
| C. P. 140A | (P) 76A | Ditto in Bengali. | |
| C. P. 142 | (P) 77 | Notice to creditors of the date of consideration of a composition or scheme of arrangement [S. 38 (1)]. | Section 38 (1), ditto. |
| C. P. 142A | (P) 77A | Ditto in Bengali. | |
| C. P. 144 | (P) 78 | Notice to creditors of application for discharge [S. 41(1)]. | Section 41(1), ditto. |
| C. P. 144A | (P) 78A | Ditto in Bengali. | |
| C. P. 149 | (P) 79 | Notice to persons claiming to be creditors of intention to declare final dividend (S. 64). | Section 64, ditto. |
| C. P. 149A | (P) 79A | Ditto in Bengali. | |
| C. P. 150 | (P) 80 | Summary administration notice to creditor (S. 74). | Section 74, Act V of 1920: Rule 417, Vol. I. |
| C. P. 150A | (P) 80A | Ditto in Bengali. | |

* Note.—This form is obtainable in the vernacular only.

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|--|-----------------|---|---|
| PROCESS—contd. | | | |
| C.P. 158 | (PP) 81 | <i>Bengal Alluvial Lands Act (Bengal Act V of 1920).</i>
General notice under section 5 (2) .. | Rule 9 of the Rules framed by the Government of Bengal under Act V (B. C.) of 1920; Rule 431, Vol. I. |
| C. P. 159 | (P) 82 | <i>Indian Lunacy Act (IV of 1912).</i>
Notice of time and place of inquisition (S. 40). | Section 40, Act IV of 1912; Rule 426, Vol. I. |
| C. P. 160 | (P) 83 | Notice for attendance of the alleged lunatic for personal examination (S. 41). | Section 41, Act IV of 1912; Rule 426, Vol. I. |
| <i>Village Self-Government Act (Bengal Act V of 1919).</i> | | | |
| C.P. 161 | *(P) 84 | Notice calling for records under S. 74. | |
| <i>Bengal Money Lenders Act (Bengal Act VII of 1933).</i> | | | |
| New | (P) 85 | Form of notice of deposit under S. 9(I) | Section 9(I), Bengal Act VII of 1933. |
| | (P) 85A | Ditto in Bengali. | |
| MISCELLANEOUS FORMS. | | | |
| New | (M) 1 | Daily List of complaints, petitions and appeals registered. | Rule 57, Vol. I. |
| New | (M) 2 | Daily Cause List | Rule 14, Vol. I. |
| New | (M) 3 | Weekly list of cases, etc., fixed for peremptory hearing. | Rule 145, Vol. I. |
| New | (M) 4 | List of movable/immovable properties to be sold in execution of decrees. | Rule 233, Vol. I. |
| New | (M) 5 | Notice of decree drawn up .. | Rule 185, Vol. I. |
| (M) 73 | } (M) 6 | Diary of Commissioners .. | Rules 321 and 358, Vol. I. |
| (M) 74 | | | |
| (M) 73A | (M) 6A | Ditto in Bengali. | |
| New | (M) 7 | Form for inspection of Courts† .. | Rule 1106, Vol. I. |

*Note.—This form is obtainable in the vernacular only.
e. App. I. to Part IX, Vol. I, pp. 441-456.

| Form No. (Old). | Form No (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|-----------------------------------|----------------|---|---|
| MISCELLANEOUS FORMS—contd. | | | |
| New | (M) 7A | Form for inspection of Record Room* | Rule 1112, Vol. I. |
| New | (M) 8 | Form of confidential report regarding Munsifs, etc.† | Rule 917, Vol. I. |
| (M) 183 | (M) 9 | Memorandum form from District Judge to other judicial officers and <i>vice versa</i> . | |
| New | (M) 9 (i) | Memorandum form from District Judge to other judicial officers and <i>vice versa</i> (short form). | |
| C. P. 97 | (M) 10 | Requisition for records .. | Or. 13, r. 10, P. C. |
| (M) 175 | (M) 11 | Letter advising the despatch of a record. | Rule, 538, Vol. I. |
| (M) 174 | (M) 12 | Letter to accompany a record .. | Ditto. |
| (M) 182 | (M) 13 | Charge letter for District Judge proceeding on circuit duty. | Rule 1069, Vol. I. |
| (M) 184 | (M) 14 | Letter from the District Judge to the Registrar of the High Court regarding the enrolment of legal practitioners. | Rule 942, Vol. I. |
| C. P. 69 | (M) 15 | Letter of authority to Collector to stay public sale of land (Sec. 72, C. P. C.). | Section 72, C. P. C. |
| (M) 156 | (M) 16 | Intimation to Collector of the withdrawal from attachment of an estate or share of an estate. | Rule 218, Vol. I. |
| C. P. 6 | (M) 17 | Order for transmission of summons for service in the jurisdiction of another Court (Or. 5, r. 21). | Or. 5, r. 21, C. P. C. |
| C. P. 7 | (M) 18 | To accompany return of summons (or notice) of another Court [Or. 5, r. 23(a)]. | Or. 5, r. 23(a), C. P. C. |
| C. P. 8 | (M) 19 | Order for transmission of summons to be served upon a public servant or soldier who is a defendant in a suit. | Or. 5, rr. 27, 28, C. P. C. |
| C. P. 102 | (M) 20 | Order transmitting notices in intestate cases to be posted in other Courts. | Section 7, Regulation V (Bengal) of 1799. |
| (M) 159 | (M) 21 | Report of the sittings of Small Cause Court Judges. | |
| (M) 160 | (M) 22 | Covering letter for report of the sittings of Small Cause Court Judges. | |

*See, App. II to Part IX, Vol. I, pp. 457-459.

†See, App. to Part VII, Vol. I, p. 365.

| Form No. (Old). | Form No. (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
|-----------------------------------|-----------------|---|---|
| MISCELLANEOUS FORMS—contd. | | | |
| C.P. 81 | (M) 23 | Intimation to Lower Court of admission of appeal. | Or. 41, r. 10, C. P. C. |
| C. P. 59 | (M) 24 | Certificate by officer holding a sale of the deficiency of price on a re-sale of property by reason of the purchaser's default (Or. 21, r. 71). | Or. 21, r. 71, C. P. C. |
| C. P. 76 | (M) 25 | Bond to be given by a Receiver (Or. 40, r. 3). | Or. 40, r. 3, C. P. C. |
| C. P. 78 | (M) 26 | Security bond to be given on order made to stay execution of decree (Or. 41, r. 5). | Or. 41, r. 5, C. P. C. |
| C. P. 79 | (M) 27 | Security bond to be given during the pendency of appeal (Or. 41, r. 6). | Or. 41, r. 6, C. P. C. |
| C. P. 80 | (M) 28 | Security for costs of appeal (Or. 41, r. 10). | Or. 41, r. 10, C. P. C. |
| New | (M) 29 | Bond for safe custody of movable property and left in charge of any person and sureties [Or. 21A, rr. 3 (a) and 5]. | Or. 21-A, r. 3 (a) and 5; Form No. 15-A, App. E, C. P. C. |
| | (M) 29A | Ditto in Bengali. | |
| | (M) 29B | Ditto in Assamese. | |
| C. P. 134 | (M) 30 | Bond from appointed guardian (S. 34, Guardian and Wards Act). | Section 34, Act VIII of 1890. |
| C. P. 134A | (M) 30A | Ditto in Bengali. | |
| C. P. 134C | (M) 30C | Ditto in Hindi. | |
| C. P. 136 | (M) 31 | Bond for the appearance of a person before a Magistrate's Court in connection with an offence committed before a Civil Court (S. 476, Cr. P. Code). | Section 476, Criminal Procedure Code. |
| (M) 152 | (M) 32 | Descriptive roll of lunatics .. | Act IV of 1912; Rule 425, Vol. I. |
| (M) 161 | (M) 33 | Court's certificates to be given to Government or local fund servants who attend court as witnesses. | Articles 1133 and 1134 1134, Civil Service Regulations. |
| (M) 179 | (M) 34 | Statement to be submitted with application for addition to the judicial staff. | Rule 1084, Vol. I. |
| (M) 185 | (M) 35 | Form of card for Pleaders' and Muktears' registered clerks. | Rule 978 (4), Vol. I. |
| New | (M) 36 | Application for inspection of record | Rule 549. |
| New | (M) 36A | Intimation to the High Court of non-payment of boat-hire. | Rule 94, note, Vol. I. |

| Form No. (Old). | Form No (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
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| MISCELLANEOUS FORMS—contd. | | | |
| <i>Record Room.</i> | | | |
| (M) 186 | (M) 37 | Annual statement of records received in the Record Room. | Rule 505, Vol. I. |
| (M) 187 | (M) 38 | Index to plan | Rule 506, Vol. I. |
| (M) 188 | (M) 39 | Index sheet for racks | Rule 510, Vol. I. |
| (M) 189 | (M) 40 | Defect report | Rule 520, Vol. I. |
| (M) 190 | (M) 41 | Form to be used on front flat board for indexing bundles of records. | Rule 527, Vol. I. |
| (M) 191 | (M) 42 | Index to Index Register or Despatch list. | Rule 513, Vol. I. |
| (M) 192 | (M) 43 | Removal slip | Rule 535, Vol. I. |
| (M) 193 | (M) 44 | Reminder Post-card for Records .. | Rule 538, note 6, Vol. I. |
| (M) 194 | (M) 45 | Reminder list | Rule 544, note, Vol. I. |
| (M) 195 | (M) 46 | Index to guard file. | |
| (M) 196 | (M) 47 | Fortnightly progress report .. | Rule 505, Vol. I. |
| <i>Bengal Tenancy Act.</i> | | | |
| C. P. 111 | *(M) 48 | Receipt granted by Court for deposit of rent (S. 62, B. T. Act). | Section 62, Act VIII of 1885. |
| C. P. 111A | (M) 48A | Ditto in Bengali. | |
| C. P. 112 | *(M) 49 | Notification of receipt by the Court of deposits made [S. 63(I), B. T. Act]. | Section 63(I), ditto. |
| C. P. 123 | *(M) 50 | Receipt for payment into Court by defendant of rent due (Sec. 152, B. T. Act). | Section 152, ditto. |
| <i>Provincial Insolvency Act.</i> | | | |
| C. P. 146 | (M) 51 | Proof of Debt; General form (S. 49) | Section 49, Act V of 1920; Rule 417, Vol. I. |
| C. P. 147 | (M) 52 | Proof of Debt of workmen (S. 49) | Ditto. |
| C. P. 143 | (M) 53 | List of creditors for use at meeting held for consideration of composition or scheme [S. 38 (2)]. | Section 38 (2), Act V of 1920, Rule 417, Vol. I. |

*Note.—These forms are obtainable in the vernacular only.

| Form No. (Old). | Form No (New). | Description of Form. | Section of the Act or Rule to which the form applies. |
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| | | MISCELLANEOUS FORMS—concl'd. | |
| | | <i>Saleable Forms.</i> | |
| (M) 181 | (M) 54 | Application for copies .. | Rule 599, Vol. I. |
| (M) 181A | (M) 54A | Ditto in Bengali. | |
| (M) 181C | (M) 54C | Ditto in Hindi. | |
| (M) 180 | (M) 55 | Application for information .. | Rule 503 (1), Vol. I. |
| (M) 180A | (M) 55A | Ditto in Bengali. | |
| (M) 180C | (M) 55C | Ditto in Hindi. | |
| | | <i>Bengal Money Lenders Act, 1933</i>
• (Ben. Act VIII of 1933). | |
| | | Part I. | |
| New | *(M) 56 | • Form of demand by debtor for the supply of particulars concerning a loan under sec. 7 (1). | Section 7(1) Bengal Money-Lenders Act. |
| | | Part II. | |
| | | Particulars concerning a loan. [Sec. 7(1)]. | Sec. 7 (1) ditto. |
| New | *(M) 57 | • Receipt granted by Court under Sec. 9 (1) for deposit of money due to money lender. | Sec. 9 (1) ditto. |

* Note.—These forms are obtainable in the vernacular only.

Index to Addenda and Corrigenda Slips.

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